

UNOFFICIAL VERSION

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WEDNESDAY, APRIL 18, 2018

SEVENTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Senator Reeves.

PLEDGE OF ALLEGIANCE

Senator Swann led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Swann led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORT

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 39, 1277 with amendment, 2552 with amendment, 2553 with amendment, 2554 with amendment, 2561 with amendment and 2631.

WATSON, Chairperson
April 17, 2018

The Speaker announced that he had referred Senate Bills Nos. 39, 1277 with amendment, 2552 with amendment, 2553 with amendment, 2554 with amendment, 2561 with amendment and 2631 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 447, 1345, 1805, 1808, 2106, 2110, 2125, 2384, 2450, 2550, 2624, 2644, 2645 and 2646** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 447 -- Alcoholic Beverages -- As introduced, makes ineligible for a certain defense to prosecution a person charged with criminal trespass at a licensed retail package store. Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4.

House Bill No. 1345 -- Taxes, Exemption and Credits -- As introduced, establishes a pilot program to issue franchise and excise tax credits to shippers making shipments into and from Shelby County; requires a shipper to establish and implement a turn-around policy that meets certain requirements. Amends TCA Title 55 and Title 67.

House Bill No. 1805 -- Licenses -- As introduced, exempts certain persons from initial licensure fees imposed by health related boards and professional regulatory boards. Amends TCA Title 3, Chapter 6, Part 3; Title 23, Chapter 3; Title 49; Title 56; Title 62; Title 63 and Title 68.

House Bill No. 1808 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, makes various changes to the insurance laws, including, but not limited to, changing the jurisdiction over claims challenging liability imposed by the insurance laws, granting the commissioner authority to provide by rule additional requirements for certain credits for reinsurance by a domestic ceding insurer, and requiring yearly submission of corporate governance annual disclosures. Amends TCA Title 9 and Title 56.

House Bill No. 2106 -- Prisons and Reformatory Institutions -- As introduced, reduces from 30 to 15 the number of days within which a sheriff must report to the county legislative body the name of any prisoner who escapes while serving on a work detail. Amends TCA Title 39; Title 40 and Title 41.

House Bill No. 2110 -- Criminal Procedure -- As introduced, clarifies that an electronic version is acceptable for the annual compliance report on capital cases submitted by the administrative office of the courts to the chief clerks of the senate and house of representatives and chairs of the appropriate committees. Amends TCA Title 38; Title 39; Title 40; Title 55, Chapter 10, Part 4 and Title 69, Chapter 9.

House Bill No. 2125 -- Annexation -- As introduced, reduces the number of owners required to consent to annexation without a referendum from all of the affected owners to a majority of the property owners who own a majority of the territory proposed for annexation. Amends TCA Section 6-51-104.

House Bill No. 2384 -- Taxes -- As introduced, urges department of revenue, in consultation with department of tourist development, to study annual amounts of revenue from sales taxes and liquor-by-the-drink taxes generated over last five years from professional sporting events; requires department to submit its findings and recommendations within 90 days from conclusion of study to finance, ways and means committees of house of representatives and senate. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9; Title 11; Title 57 and Title 67.

House Bill No. 2450 -- DUI Offenses -- As introduced, removes penalty of Class A misdemeanor for refusing to consent to breath or blood test for DUI; makes various revisions to DUI law regarding breath and blood tests. Amends TCA Title 39, Chapter 13; Title 40, Chapter 7, Part 1 and Title 55, Chapter 10, Part 4.

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House Bill No. 2550 -- Firearms and Ammunition -- As introduced, requires the state board of education to develop academic standards for a firearm education course to be offered as an elective for high school students; course to include history, mathematics, and science related to firearms and to include firearm safety education, but no use or presence of live ammunition. Amends TCA Title 49, Chapter 6.

House Bill No. 2624 -- Human Rights -- As introduced, confers upon the Tennessee human rights commission the duty to notify the appropriate district attorney general if during the course of an investigation there is reasonable cause to believe that a violation of § 39-17-309, involving civil rights intimidation, has occurred. Amends TCA Title 3; Title 4 and Title 62.

House Bill No. 2644 -- Appropriations -- As introduced, makes appropriations for the fiscal years beginning July 1, 2017, and July 1, 2018.

House Bill No. 2645 -- Bond Issues -- As introduced, authorizes the state to issue and sell bonds of up to \$245,435,000.

House Bill No. 2646 -- Budget Procedures -- As introduced, allows for grant payments under the grant assistance program for nursing home care being made monthly or quarterly; makes statutory revisions required for implementation of the annual appropriations act. Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 959 through 963** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 959 by Senator Reeves.
Memorials, Recognition -- Promotional Products Work! Week.

Senate Joint Resolution No. 960 by Senator Bailey.
Memorials, Academic Achievement -- Lauren Clarke, Salutatorian, Monterey High School.

Senate Joint Resolution No. 961 by Senator Bailey.
Memorials, Academic Achievement -- Mary Walker, Valedictorian, Monterey High School.

Senate Joint Resolution No. 962 by Senator Bailey.
Memorials, Sports -- White County High School archery team, 2018 State Champion.

Senate Joint Resolution No. 963 by Senator Dickerson.
Memorials, Recognition -- Nashville Shakespeare Festival, 30th Anniversary.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1021, 1022, 1209 and 1211 through 1253; Senate Joint Resolutions Nos. 952 through 958; and Senate Resolution No. 214** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1021 -- General Assembly, Confirmation of Appointment -- David F. Jones, Tennessee Public Utility Commission.

The Speaker announced that he had referred House Joint Resolution No. 1021 to the Committee on Calendar.

House Joint Resolution No. 1022 -- General Assembly, Confirmation of Appointment -- John Hie, Tennessee Public Utility Commission.

The Speaker announced that he had referred House Joint Resolution No. 1022 to the Committee on Calendar.

House Joint Resolution No. 1209 -- Memorials, Personal Occasion -- Sue Ella Caldwell Banks, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 1209 to the Committee on Calendar.

House Joint Resolution No. 1211 -- Memorials, Death -- Dan Smith.

The Speaker announced that he had referred House Joint Resolution No. 1211 to the Committee on Calendar.

House Joint Resolution No. 1212 -- Memorials, Interns -- Nicole Lareau.

The Speaker announced that he had referred House Joint Resolution No. 1212 to the Committee on Calendar.

House Joint Resolution No. 1213 -- Memorials, Academic Achievement -- Natalie Hope Olds, Valedictorian, Providence Academy.

The Speaker announced that he had referred House Joint Resolution No. 1213 to the Committee on Calendar.

House Joint Resolution No. 1214 -- Memorials, Personal Occasion -- Donald and Wilma Gann, 65th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1214 to the Committee on Calendar.

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House Joint Resolution No. 1215 -- Memorials, Recognition -- Dr. Eric Hasemeier.

The Speaker announced that he had referred House Joint Resolution No. 1215 to the Committee on Calendar.

House Joint Resolution No. 1216 -- Memorials, Public Service -- Jody and Hugh Brashear.

The Speaker announced that he had referred House Joint Resolution No. 1216 to the Committee on Calendar.

House Joint Resolution No. 1217 -- Memorials, Sports -- Stratford High School boys' basketball team, TSSAA Class AA State Semi-Finalist.

The Speaker announced that he had referred House Joint Resolution No. 1217 to the Committee on Calendar.

House Joint Resolution No. 1218 -- Memorials, Retirement -- Kathy Wood-Dobbins.

The Speaker announced that he had referred House Joint Resolution No. 1218 to the Committee on Calendar.

House Joint Resolution No. 1219 -- Memorials, Academic Achievement -- Reuben Woodard, Valedictorian, Hamilton High School.

The Speaker announced that he had referred House Joint Resolution No. 1219 to the Committee on Calendar.

House Joint Resolution No. 1220 -- Memorials, Academic Achievement -- Kaneisha K. Hall, Salutatorian, Hamilton High School.

The Speaker announced that he had referred House Joint Resolution No. 1220 to the Committee on Calendar.

House Joint Resolution No. 1221 -- Memorials, Academic Achievement -- Danyell McAdams, Senior Class President, Hamilton High School.

The Speaker announced that he had referred House Joint Resolution No. 1221 to the Committee on Calendar.

House Joint Resolution No. 1222 -- Memorials, Academic Achievement -- Margaret Maxwell, Valedictorian, Sheffield High School.

The Speaker announced that he had referred House Joint Resolution No. 1222 to the Committee on Calendar.

House Joint Resolution No. 1223 -- Memorials, Academic Achievement -- Omar Ruiz, Salutatorian, Sheffield High School.

The Speaker announced that he had referred House Joint Resolution No. 1223 to the Committee on Calendar.

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House Joint Resolution No. 1224 -- Memorials, Academic Achievement -- Katerion Pender, Class President, Sheffield High School.

The Speaker announced that he had referred House Joint Resolution No. 1224 to the Committee on Calendar.

House Joint Resolution No. 1225 -- Memorials, Interns -- Jordan Danielle Scales.

The Speaker announced that he had referred House Joint Resolution No. 1225 to the Committee on Calendar.

House Joint Resolution No. 1226 -- Memorials, Personal Occasion -- Brian Harris, 40th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 1226 to the Committee on Calendar.

House Joint Resolution No. 1227 -- Memorials, Recognition -- Ronald Coffin, Frank Young, Constance Hooper Scott, Sylvia Porter, and Gervy Howard.

The Speaker announced that he had referred House Joint Resolution No. 1227 to the Committee on Calendar.

House Joint Resolution No. 1228 -- Memorials, Death -- Laddie Morris, Jr.

The Speaker announced that he had referred House Joint Resolution No. 1228 to the Committee on Calendar.

House Joint Resolution No. 1229 -- Memorials, Recognition -- Reverend Bassil Gardner Brooks, 42nd Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1229 to the Committee on Calendar.

House Joint Resolution No. 1230 -- Memorials, Academic Achievement -- Laramie Plott, Valedictorian, Zion Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 1230 to the Committee on Calendar.

House Joint Resolution No. 1231 -- Memorials, Academic Achievement -- Jenny Claire Buckner, Valedictorian, Zion Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 1231 to the Committee on Calendar.

House Joint Resolution No. 1232 -- Memorials, Academic Achievement -- Sarah Thomas, Valedictorian, Zion Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 1232 to the Committee on Calendar.

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House Joint Resolution No. 1233 -- Memorials, Academic Achievement -- Autumn Nicole Belcher, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1233 to the Committee on Calendar.

House Joint Resolution No. 1234 -- Memorials, Academic Achievement -- James Brady Biggs, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1234 to the Committee on Calendar.

House Joint Resolution No. 1235 -- Memorials, Academic Achievement -- Ethan R. Crowder, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1235 to the Committee on Calendar.

House Joint Resolution No. 1236 -- Memorials, Academic Achievement -- Erin F. Forgety, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1236 to the Committee on Calendar.

House Joint Resolution No. 1237 -- Memorials, Academic Achievement -- Reanna R. Hanson, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1237 to the Committee on Calendar.

House Joint Resolution No. 1238 -- Memorials, Academic Achievement -- William R. Jenkins, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1238 to the Committee on Calendar.

House Joint Resolution No. 1239 -- Memorials, Academic Achievement -- Landon S. Margetjak, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1239 to the Committee on Calendar.

House Joint Resolution No. 1240 -- Memorials, Academic Achievement -- Logan S. Mitchell, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1240 to the Committee on Calendar.

House Joint Resolution No. 1241 -- Memorials, Academic Achievement -- Claire G. Roberson, Top Ten Senior, Cherokee High School.

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The Speaker announced that he had referred House Joint Resolution No. 1241 to the Committee on Calendar.

House Joint Resolution No. 1242 -- Memorials, Academic Achievement -- Emma M. Shaver, Top Ten Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1242 to the Committee on Calendar.

House Joint Resolution No. 1243 -- Memorials, Academic Achievement -- Savannah Hopkins, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1243 to the Committee on Calendar.

House Joint Resolution No. 1244 -- Memorials, Academic Achievement -- Meghan Danielle Holt, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1244 to the Committee on Calendar.

House Joint Resolution No. 1245 -- Memorials, Academic Achievement -- Dylan Wayne Bell, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1245 to the Committee on Calendar.

House Joint Resolution No. 1246 -- Memorials, Academic Achievement -- Tyler Shane Mullins, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1246 to the Committee on Calendar.

House Joint Resolution No. 1247 -- Memorials, Academic Achievement -- Tabitha Ivonn Dykes, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1247 to the Committee on Calendar.

House Joint Resolution No. 1248 -- Memorials, Academic Achievement -- Anastey Raegan Seal, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1248 to the Committee on Calendar.

House Joint Resolution No. 1249 -- Memorials, Academic Achievement -- Victoria Marion, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1249 to the Committee on Calendar.

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House Joint Resolution No. 1250 -- Memorials, Academic Achievement -- Brady Ramsey, Top Ten Senior, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1250 to the Committee on Calendar.

House Joint Resolution No. 1251 -- Memorials, Academic Achievement -- Amber Estes, Salutatorian, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1251 to the Committee on Calendar.

House Joint Resolution No. 1252 -- Memorials, Academic Achievement -- Sarah Nichole Hopkins, Valedictorian, Hancock County High School.

The Speaker announced that he had referred House Joint Resolution No. 1252 to the Committee on Calendar.

House Joint Resolution No. 1253 -- Memorials, Recognition -- Collegiate fraternity and sorority community.

The Speaker announced that he had referred House Joint Resolution No. 1253 to the Committee on Calendar.

Senate Joint Resolution No. 952 -- Memorials, Death -- Gilbert DeRieux Pickel.

The Speaker announced that he had referred Senate Joint Resolution No. 952 to the Committee on Calendar.

Senate Joint Resolution No. 953 -- Memorials, Recognition -- South Gate Lodge #569 F&AM Masonic Temple, 125th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 953 to the Committee on Calendar.

Senate Joint Resolution No. 954 -- Memorials, Recognition -- Food City, 100th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 954 to the Committee on Calendar.

Senate Joint Resolution No. 955 -- Memorials, Death -- Wanda Parrett Craven.

The Speaker announced that he had referred Senate Joint Resolution No. 955 to the Committee on Calendar.

Senate Joint Resolution No. 956 -- Memorials, Interns -- Marvin General Williamson II.

The Speaker announced that he had referred Senate Joint Resolution No. 956 to the Committee on Calendar.

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Senate Joint Resolution No. 957 -- Memorials, Interns -- Hayes O'Donnell.

The Speaker announced that he had referred Senate Joint Resolution No. 957 to the Committee on Calendar.

Senate Joint Resolution No. 958 -- Memorials, Interns -- Khyiah Riviears.

The Speaker announced that he had referred Senate Joint Resolution No. 958 to the Committee on Calendar.

Senate Resolution No. 214 -- Memorials, Death -- Harry Eugene Patton, Sr.

The Speaker announced that he had referred Senate Resolution No. 214 to the Committee on Calendar.

MOTION

Senator Bailey moved that Rule 83 be suspended for the purpose of allowing the Committee on Transportation and Safety to meet at 1:30 p.m. today, Wednesday, April 18, 2018, to consider **House Joint Resolution No. 1001**, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 17, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1572, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 17, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2049, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 16, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2603, for further consideration.

TAMMY LETZLER,
Chief Clerk

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering Calendar No. 3 next, which motion prevailed.

MOTION

Senator Norris moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Calendar No. 3 consisting of the following bills: **Senate Bill Nos. 2552, 2553 and 2554**, which motion prevailed.

CALENDAR NO. 3

Senate Bill No. 2552 -- Appropriations -- As introduced, makes appropriations for the fiscal years beginning July 1, 2017, and July 1, 2018.

Senator Norris declared Rule 13 on **Senate Bill No. 2552**.

On motion, Senate Bill No. 2552 was made to conform with **House Bill No. 2644**.

On motion, House Bill No. 2644, on same subject, was substituted for Senate Bill No. 2552.

Senator Norris moved that Amendment No. 1 be placed behind Amendment No. 4, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting each and every section of House Bill 2644 and by substituting instead new Sections 1 through 58, namely:

Sections 1 through 58 of Senate Bill 2552 as filed for introduction on February 1, 2018, and considered to be part of this amendment.

On motion, Amendment No. 2 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

ADMINISTRATION AMENDMENT

AMEND by adding the following Sections between Sections 55 and 56 of the bill and by renumbering the Sections accordingly.

ADDITIONAL 2018-2019 APPROPRIATIONS

SECTION 56. Other Additions to Budget. In addition to the amounts appropriated in Sections 1 and 4 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate

organizational units and to adjust federal aid and other departmental revenues and position authorizations accordingly. Full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Children's Services – ACE Research Funding	\$ 1,200,000	\$ 0
2. Children's Services – ACE Awareness Foundation	0	420,000
3. Court System – Courtroom Security – Grants	0	1,000,000
4. Court System – Senior Judge for Drug Courts	0	256,700
5. District Attorneys Conference – Assistant District Attorneys for Recovery Courts (4 FT)	467,600	0
6. Economic & Community Development – Broadband Initiative	0	5,000,000
7. Economic & Community Development – NCSL Legislative Summit	0	300,000
8. Economic & Community Development – Data Alignment Coordinator (1 FT)	100,000	0
9. Education – Data Alignment Funding – Transfer to E&CD	(50,000)	0
10. Education – School Safety	5,200,000	25,000,000
11. Education – Seat Belts – Grants	0	3,000,000
12. Education – Centers of Regional Excellence (CORE) (16 FT)	1,000,000	0
13. Education – Save the Children Literacy Grant	0	1,000,000
14. Environment & Conservation – Pikeville Water Development Project	0	900,000
15. Environment & Conservation – West TN River Basin Authority - Maintenance	400,000	0
16. Environment & Conservation – West TN River Basin Authority – Operations (3 FT)	230,000	130,000
17. Historical Commission – Halbrook Railroad and Local History Museum – Grant	19,000	0
18. Finance & Administration – Victims of Human Trafficking – Grants	0	550,000
19. Health Services and Development Agency – Web-based Application System	0	250,000
20. Higher Education – Tennessee Tech – Carnegie Classification – Year 2	700,000	0
21. Higher Education – Southern College of Optometry - Grant	300,000	0

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22. Higher Education – Tennessee Colleges of Applied Technology – Equipment	0	9,000,000
23. Higher Education – UT Health Science Center – Addiction Science	0	2,000,000
24. Higher Education – Tennessee Board of Regents – Mechatronics Expansion	0	1,000,000
25. Mental Health & Substance Abuse Services – East TN Mental Health Hospitals	0	1,000,000
26. Mental Health & Substance Abuse Services – Treatment and Recovery Services	1,000,000	0
27. Mental Health & Substance Abuse Services – Centerstone Military Services - Grant	300,000	0
28. Safety – Homeland Security Staffing (5 FT)	252,800	0
29. TennCare – DIDD Provider Rate Increase	3,200,000	0
30. Transportation – Aeronautics Development Fund – General Fund Subsidy	0	10,000,000
31. Transportation – Oak Ridge Gateway Project – ORNL Monument Interstate Signs – General Fund Subsidy	0	500,000
32. Treasury Department – DUI Monitoring Fund – General Fund Subsidy	0	500,000
33. Miscellaneous Appropriations – Women's Basketball Hall of Fame – Grant	0	200,000
34. Miscellaneous Appropriations – Great Smoky Mountains Heritage Center – Grant	0	400,000
35. Miscellaneous Appropriations – Henry County – Grant	0	200,000
36. Miscellaneous Appropriations – Urban Historical National Preservation – Grant	0	155,000
37. Miscellaneous Appropriations – Roane State Community College – Exposition Center	0	300,000
38. Miscellaneous Appropriations – Jackson Theatre – Jonesborough – Grant	0	500,000
39. Miscellaneous Appropriations – Rescue Squad Association – Grant	0	28,700
40. Miscellaneous Appropriations – Miss Tennessee Pageant	15,000	0
41. Miscellaneous Appropriations – Automotive Testing Facility Feasibility Study	0	250,000
Total	\$ 14,334,400	\$ 63,840,400

The appropriation in this item to the Department of Finance and Administration for victims of human trafficking grants is for the sole purpose of providing grants to Thistle Farms and to the four (4) single point of contact agencies in Tennessee recognized by the Tennessee Bureau of Investigation and the Department of

Children's Services to facilitate the provision of comprehensive wraparound services to the victims of human trafficking recovered in Tennessee. The services funded in this item shall include, but not be limited to, safe housing, medical care, mental health and substance abuse care, transportation, job training, and other basic human needs. The Department shall distribute the grants in equal amounts to Thistle Farms and to the following single point of contact agencies: (a) Grow Free Tennessee in Knoxville; (b) Second Life in Chattanooga; (c) Restore Corps in Memphis; and (d) End Slavery Tennessee in Nashville.

The appropriation in this item to the Department of Education for school safety is in addition to an amount of \$4,800,000 (recurring) appropriated in Section 1, Title III-9 of this act and shall be disbursed pursuant to the guidelines established in Tennessee Code Annotated, Section 49-6-4302(c). Provided, further, of the non-recurring appropriation in this item to the Department of Education for school safety, an amount of \$10,000,000 is subject to Senate Bill No. 2553 / House Bill No. 2646 becoming a law, the public welfare requiring it. If the cited bill does not become law, the appropriation in this item is hereby reduced in the amount of \$10,000,000.

The appropriation in this item to the Department of Education for seat belt grants shall be subject to guidelines and local education agency matching requirements as determined by the department.

Item 2. Dedicated Source Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Health – Medical Licensure Compact – Medical Examiners and Osteopathic Examiners	\$ 62,300	\$ 4,300
Total	\$ 62,300	\$ 4,300

SECTION 57. Legislation. In addition to the appropriations in Sections 1 and 4 of this act, the following amounts hereby are appropriated for the purpose of implementing the cited bills, and such additional or lesser amounts indicated in the final fiscal note on the bills as enacted are hereby appropriated. The Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly. Federal and other departmental revenue adjustments may be made in reconciliation to said fiscal notes and to available federal aid and other departmental revenue. Adjustments to the number of authorized positions indicated in the line items as full-time (FT), part-time (PT), and seasonal shall be reconciled to the fiscal notes. The negative amounts in line-items of this section are appropriation reductions, and the positive amounts are appropriation increases. The appropriation in each item of this section is subject to the bill cited in that item becoming a law, except as otherwise provided.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 2236 / HB 1812 – Film & TV Commission – Visual Content Act of 2006	\$ 52,100	\$ 0
2. SB 2234 / HB 1810 – Correction – Earned Compliance Credits (-12 FT)	2,216,600	0
3. SB 2258 / HB 1832 – Correction – Sentence Reduction Credits – Fiscal Note Reconciliation	13,100	0
4. SB 2553 / HB 2646 - Budget Implementation - General Law Changes - Sum Sufficient Estimated @ \$0	0	0
5. SB 2247 / HB 1822 – Human Services – Program Integrity – Fiscal Note Reconciliation	0	(3,100)
6. SB 280 / HB 149 – Miscellaneous Appropriations – No Judicial Diversion for Charges of Incest – Fiscal Note Reconciliation	33,500	0
7. SB 270 / HB 268 – Miscellaneous Appropriations – Vehicle Registration Exemptions – Fiscal Note Reconciliation	59,900	0
8. SB 2261 / HB 2271 – Juvenile Justice	4,500,000	0
9. SB 1875 / HB 1936 – Correction – Incarceration – Henry's Law	113,200	0
Total	\$ 6,988,400	\$ (3,100)

Item 2. Dedicated Source and Earmarked Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 2243 / HB 1819 – Financial Institutions – Financial Institutions Conversion Act	\$ 1,000	\$ 0
2. SB 2253 / HB 1828 – Department of Finance & Administration – Ignition Interlock – Fiscal Note Reconciliation	46,000	0
3. SB 2253 / HB 1828 – Department of Safety – Ignition Interlock – Fiscal Note Reconciliation	(46,000)	0
4. SB 270 / HB 268 – Miscellaneous Appropriations – Vehicle Registration Exemptions – Highway Fund – Fiscal Note Reconciliation	528,500	0
5. SB 2026 / HB 2084 – TennCare – Hospital Assessment – Fiscal Note Reconciliation	0	191,200

6.	SB 1781 / HB 1848 – TennCare – Nursing Home Assessment – Fiscal Note Reconciliation	0	9,061,000
7.	SB 1823 / HB 1837 – TennCare – Ambulance Assessment – Fiscal Note Reconciliation	0	530,300
8.	SB 2626 / HB 1862 – TBI – Expungements Reduction	(144,200)	0
Total		\$ 385,300	\$ 9,782,500

SECTION 58. Cost Increase Reductions. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting cost increase appropriations and positions that had been recommended in the 2018-2019 Budget Document, and the Commissioner of Finance and Administration is authorized to allocate the appropriation reductions to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly.

Item 1. The appropriation in Section 1, Title III-22, Item 11.1, Administration Amendment, hereby is reduced in the amount of \$11,500,000 recurring.

CAPITAL OUTLAY – ADDITIONAL PROVISIONS

SECTION 59. Capital Outlay Additional Provisions. The following provisions are in addition to other provisions of this act concerning the capital outlay budget and the facilities revolving fund capital outlay budget.

Item 1. The provisions of this item shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated the following amounts, which shall be in addition to the appropriations provided in Public Acts of 2017, Chapter 460, and in Section 38 of this act.

(a) Department of General Services, Facilities Revolving Fund – Tennessee Tower Print Shop Renovation, in the amount of \$500,000.

Item 2. In addition to the Facilities Revolving Fund capital maintenance projects listed on page A-158 of the 2018-2019 Budget Document and in Section 1, Title III-29, and Section 4, Title III-27 of this act, the following amounts hereby are funded.

(a) Department of General Services – Rachel Jackson Building – Phase 1 Renovation, in the amount of \$1,040,000 from the reserves of the state office buildings and support facilities revolving fund.

Item 3. In addition to the capital outlay projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and in Section 1, Title III-32 of this act, the following hereby are funded.

(a) Department of Environment and Conservation – Cedars of Lebanon State Park – New Splash Pad, in the amount of \$800,000 from federal aid funds and other funds.

(b) University of Tennessee – UT Ellington Project Planning Funds, in the amount of \$2,000,000.

(c) Tennessee Board of Regents – Walters State Community College – Greeneville Campus, in the amount of \$2,240,000.

(d) Department of Veterans Services – New Veterans Cemetery Land Purchase, Upper Cumberland, in the amount of \$600,000.

(e) Tennessee State Veterans Home Board – Cleveland Veterans Home additional funds, in the amount of \$3,000,000.

(f) Department of General Services – Rhea County Courthouse Renovation - Grant, in the amount of \$500,000.

Item 4. Of the capital outlay projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and in Section 1, Title III-32 of this act, the following hereby are reduced.

(a) Tennessee Board of Regents – TCAT Improvements Phase III, in the amount of \$1,492,000 from other funds.

Item 5. Of the capital maintenance projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and Section 1, Title III-32 of this act, the following hereby are funded.

(a) Department of Environment and Conservation – Natchez Trace Inn Refurbishment, in the amount of \$450,000 from federal aid funds and other sources.

(b) Department of Environment and Conservation – Old Stone Fort Campground, in the amount of \$1,200,000 from federal aid funds and other sources.

(c) Tennessee Board of Regents – Management Support Services, in the amount of \$500,000. This appropriation is in addition to the amounts recommended on page A-137 of the 2018-2019 Budget Document for Management Support Services.

SECTION 2 – CAPITAL OUTLAY AND MAJOR MAINTENANCE

AND FURTHER AMEND in Section 2 by deleting Item 2 in its entirety and substituting instead the following new Item 2:

Item 2. Any unexpended capital outlay or capital maintenance funds appropriated by previous General Assemblies for completed or discontinued projects shall be accumulated in a capital account to be administered by the Department of Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation of the University of Tennessee, State Board of Regents, boards of locally

governed institutions, or Department of General Services, as applicable, and certification of available funds by the Commissioner of Finance and Administration. After such approvals and certification of available funds, the Commissioner of Finance and Administration is authorized to transfer a portion of such funds allocated to the Department of General Services from the aforementioned capital account to the state office buildings and support facilities revolving fund.

SECTION 7 – EARMARKED APPROPRIATIONS

AND FURTHER AMEND in Section 7, Item 38 by deleting the language "\$400,000" and substituting instead the language "\$700,000".

AND FURTHER AMEND in Section 7 by inserting the following new item at the end of the Section:

Item ___. Department of Environment and Conservation, Maintenance of Historic Sites, in Section 1, Title III-5, Item 9, an amount of \$66,000 (non-recurring) is for the sole purpose of supplementing funding available for historic sites acquisition, improvements, maintenance, and interpretation at the Parker's Crossroads Battlefield. This item is subject to the provisions of Section 21 of this act.

SECTION 9 – SUM SUFFICIENT FROM DEPARTMENTAL REVENUES

AND FURTHER AMEND in Section 9 by inserting the following new item at the end of the Section:

Item ___. To the State Treasurer, TN Stars College Savings 529 Program, from funds transferred into the program from the Small and Minority-Owned Business Assistance Program pursuant to Tennessee Code Annotated, Section 65-5-113(c).

SECTION 17 – GROUP HEALTH INSURANCE FOR STATE EMPLOYEES

AND FURTHER AMEND in Section 17 by inserting the following new item at the end of the Section:

Item ___. From the funds appropriated in this act for the purpose of funding the state's liability for employee participation in the state group health insurance program, the Commissioner of Finance and Administration is authorized to adjust allotments to the various departments, agencies, boards and commissions of state government and to the institutions of higher education in order to recognize non-recurring savings which may be generated by actions of the state insurance committee. The Commissioner is further authorized to adjust federal aid and other departmental revenues, to adjust appropriations to dedicated and earmarked sources, and to reallocate general fund appropriations.

SECTION 23 – BUDGET AND POSITIONS RECONCILIATION, ALLOTMENT, AND REPORTING

AND FURTHER AMEND in Section 23 by inserting the following new item at the end of the Section:

Item ___. Recognizing the Save the Children Literacy grant pilot program has been funded for over ten years, the Comptroller of Treasury is directed to conduct a comprehensive review of the program and report such findings to the Chairs of the Finance, Ways and Means Committees of the Senate and the House of Representatives and the

Commissioner of Finance and Administration by December 1, 2018. Such review may include the expenditure of funds, the number of children served, the level of local financial support and participation, any established program measures or outcomes and any other information regarding the program's effectiveness to improve child literacy.

SECTION 29 – HIGHER EDUCATION

AND FURTHER AMEND in Section 29 by deleting Item 28 and inserting the following new item at the end of the Section:

Item 28. From the funds appropriated in Section 1, Title III-32, for capital outlay, the Commissioner of Finance and Administration is authorized, subject to approval of the Tennessee Board of Regents, the presidents of the locally governed institutions, and the Tennessee Higher Education Commission, to transfer appropriations from the locally governed institutions to the Tennessee Board of Regents.

HIGHER EDUCATION DISCLOSED CAPITAL OUTLAY FROM SCHOOL BONDS AND INSTITUTIONAL SOURCES

AND FURTHER AMEND in Section 29 by inserting the following new item at the end of the Section:

Item __. The capital outlay projects listed in the 2018-2019 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2018-2019," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Department of Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-138 and A-139 in the 2018-2019 Budget Document:

**State University and Community College System
(Locally Governed Institutions):**

Middle Tennessee State University:

Academic Classroom Building	\$	2,900,000
Athletic Video Board Upgrades		1,500,000
Baseball Weight Room		600,000
Tennis Improvements		3,000,000
Women's Softball Facility Upgrades		1,000,000
Total MTSU	\$	9,000,000

Tennessee State University:

Alumni House and Visitor Center	\$	2,000,000
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Tennessee Technological University:

Cooper/Dunn Residence Hall Upgrade	\$	6,700,000
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Engineering and Research Facility	500,000
Facilities Services Complex	10,100,000
Total TTU	<u>\$ 17,300,000</u>

University of Memphis:

Child Development Center	\$ 550,000
Lambuth Wilder and Hamilton Roof	320,000
Living Learning Center HVAC Drains	650,000
Natatorium Facility Improvements	6,000,000
Total UoM	<u>\$ 7,520,000</u>

Total State University and Community College System

\$ 35,820,000

Grand Total

\$ 35,820,000

The request for the Pellissippi Community College Blount College Greenhouse in the amount of \$90,000, as identified on page A-138 of the 2018-2019 Budget Document, is hereby renamed Pellissippi Community College Blount County Greenhouse.

The request for the University of Tennessee Chattanooga Mapp Bldg. Manufacturing Lab and Entrepreneurial Center in the amount of \$1,290,000, as identified on page A-138 of the 2018-2019 Budget Document, is to be cancelled.

The request for the University of Tennessee Health Science Center Bioworks Acquisition in the amount of \$25,010,000, as identified on page A-139 of the 2018-2019 Budget Document, is to be cancelled.

SECTION 32 – FASTTRACK INFRASTRUCTURE DEVELOPMENT AND JOB TRAINING ASSISTANCE

AND FURTHER AMEND in Section 32 by inserting the following new item at the end of the Section:

Item ___. In the fiscal year ending June 30, 2018, from the funds appropriated to the FastTrack Infrastructure Development and Job Training Assistance program in Chapter 460, Public Acts of 2017, an amount of \$5,000,000 is earmarked to provide job training assistance at Pellissippi State Community College for the DENSO FastTrack project described on page A-29 of the 2018-2019 Budget Document. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it.

SECTION 36 – CARRY-FORWARD AND APPROPRIATION OF CERTAIN UNEXPENDED BALANCES

AND FURTHER AMEND in Section 36 by inserting the following new items at the end of the Section:

Item ___. To the Judicial Branch, Appellate and Trial Courts, in Section 1, Title II, Item 1, the unexpended balance of the \$2,000,000 appropriation for courtroom security.

Item __. To Higher Education, THEC Grants, in Section 64, Item 21, the unexpended balance of the \$750,000 appropriation for making grants to fund student financial aid for individuals enrolled in a new medical education program jointly administered by Middle Tennessee State University and Meharry Medical College.

Item __. To the Department of Safety, Highway Patrol, in Section 1, Title III-20, Item 3, the unexpended balance of the \$8,710,000 for the replacement of a helicopter.

Item __. To Miscellaneous Appropriations in Section 1, Title III-22, Item 3.4, the unexpended balance of the appropriation for Group Health Insurance, Other Post-Employment Benefits Liability, to be used for the purpose of paying expenses in connection with establishing the other post-employment benefits trust.

**SECTION 39 – PROGRAM EXPANSIONS FROM FEDERAL AND OTHER
DEPARTMENTAL REVENUE**

AND FURTHER AMEND by deleting Section 39 in its entirety and inserting the following as a new Section 39:

SECTION 39. Program Expansions from Federal and Other Departmental Revenue. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2018, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2018.

There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2017-2018</u>	<u>2018-2019</u>
Comptroller of the Treasury		
1. Division of State Audit	\$ 0	\$ 407,500
Commissions		
1. Tennessee Housing and Development Agency	0	1,366,200
Tourist Development		
1. Welcome Centers	<u>0</u>	<u>200,000</u>
Total	<u>\$ 0</u>	<u>\$ 1,973,700</u>

The Commissioner of Finance and Administration is authorized to establish twenty-six (26) full-time positions and to allocate them to the appropriate organizational units, including eight (8) positions in the Comptroller of the Treasury, fifteen (15) in the Tennessee Housing and Development Agency, and three (3) in the Department of Commerce and Insurance.

SECTION 41 – PROVISIONS CONCERNING CERTAIN APPROPRIATIONS

AND FURTHER AMEND in Section 41 by inserting the following new item to the end of the section:

Item __. The Commissioner of Finance and Administration is authorized to adjust interdepartmental revenue estimates in the Department of Environment and Conservation, Clean Water and Drinking Water State Revolving Fund, for administrative expense reimbursement from the State Treasurer.

**SECTION 43 – OVER-APPROPRIATION – ESTIMATED REVERSION TO
GENERAL FUND**

AND FURTHER AMEND in Section 43 by deleting Item 1(a) in its entirety and substituting instead the following:

(a) In fiscal year 2017-2018 to recognize an over-appropriation of \$179,217,700, including a base recurring over-appropriation of \$76,808,500 and a non-recurring over-appropriation of \$102,409,200.

AND FURTHER AMEND in Section 43 by inserting the following new item at the end of the section:

Item __. In the fiscal year ending June 30, 2018, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$15,173,125 from the TennCare nursing home assessment trust fund to the TennCare reserve for unencumbered balances.

The provisions of this item are subject to Senate Bill No. 1781 / House Bill No. 1848 becoming a law, the public welfare requiring it.

AND FURTHER AMEND in Section 43 by inserting the following new item at the end of the section:

Item __. In the fiscal year ending June 30, 2018, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$10,000,000 from the Department of Safety handgun permit reserve to the general fund.

The provisions of this item are subject to Senate Bill No. 2553 / House Bill No. 2646 becoming a law, the public welfare requiring it.

SECTION 50 – LOTTERY FOR EDUCATION ACCOUNT

AND FURTHER AMEND in Section 50, Item 5, by deleting the item in its entirety.

SECTION 54 – NON-RECURRING TENNCARE ASSESSMENTS

AND FURTHER AMEND in Section 54 by deleting the section in its entirety and substituting instead the following:

SECTION 54. From the appropriations in Section 1, Title III-26 and Section 57 of this act, the following non-recurring amounts are appropriated to the TennCare Program.

Item 1.

(a) If Senate Bill No. 2026 / House Bill No. 2084, the annual coverage assessment act, becomes a law, there hereby is appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of

\$446,771,000 (non-recurring) to the TennCare Program for the following purposes, and the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly; provided, however, that if the federal government disallows the coverage assessment as a valid source to match federal Medicaid funds, the appropriations in this Item 1(a) shall be null and void, and the appropriations in Section 1, Title III-26 and Section 57 shall be reduced accordingly. If the cited bill does not become a law, the appropriations in Section 1, Title III-26 and Section 57 of this act, are hereby reduced in the amount of \$446,771,000.

<u>Description</u>	<u>Amount</u>
Essential Access Hospital Payments	\$ 42,677,500
Disproportionate Share Hospital Payments.....	27,528,000
Graduate Medical Education	17,071,000
Critical Access Hospital Payments	3,414,200
Medicare Part A Reimbursement	12,137,600
Provider Reimbursement and Co-Pay	56,511,800
Hospital Reimbursement Ceiling	11,027,700
In-Patient Services	44,882,800
Lab and X-Ray Procedures	14,221,600
Therapies	8,636,200
Out-Patient Services	32,063,500
Office Visits	18,315,100
Match for ADT Contract Payments.....	125,000
Rate Variation Adjustment	191,200
Directed Hospital Payments.....	155,346,100
Non-Emergent Care at Hospitals	573,200
340B Pricing Provision – MCO Contractor Agreement <u>2,048,500</u>	
Total.....	\$ <u>446,771,000</u>

(b) There is further appropriated to the TennCare Program, in addition to the appropriation, Directed Hospital Payments, a sum sufficient from any amount in excess of \$446,771,000 collected from the coverage assessment for the purpose of hospital payments for unreimbursed costs.

(c) To the extent that revenue collected from the coverage assessment is less than \$446,771,000, the appropriation, Directed Hospital Payments, hereby is reduced in the amount of the under-collection.

(d) From the funds available in TennCare maintenance of coverage trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

Item 2.

(a) If Senate Bill No. 1781 / House Bill No. 1848, the annual nursing home assessment fee, becomes a law, there is hereby appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of \$130,061,000 (non-recurring) to the TennCare Program for nursing home reimbursement. Further, the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. If the cited bill does not become law, the appropriations in Section 1, Title III-26 and Section 57, of this act, are hereby reduced in the amount of \$130,061,000.

(b) There is further appropriated to the TennCare Program, in addition to the appropriation for nursing home reimbursement, a sum sufficient from any amount in excess of \$130,061,000 collected from the coverage assessment for the purpose of nursing home reimbursement.

(c) From the funds available in TennCare nursing home assessment trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

Item 3.

(a) If Senate Bill No. 1823 / House Bill No. 1837, the annual ambulance assessment fee, becomes a law, there is hereby appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of \$10,835,000 (non-recurring) to the TennCare Program for ambulance provider reimbursement. Further, the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. If the cited bill does not become law, the appropriations in Section 1, Title III-26 and Section 57, of this act, are hereby reduced in the amount of \$10,835,000.

(b) There is further appropriated to the TennCare Program, in addition to the appropriation for ambulance provider reimbursement, a sum sufficient from any amount in excess of \$10,835,000 collected from the coverage assessment for the purpose of ambulance provider reimbursement.

(c) From the funds available in TennCare ambulance assessment trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

HOUSEKEEPING – TYPOGRAPHICAL, NAME, DATE, AND CITATION CORRECTIONS

AND FURTHER AMEND in Section 8, Item 8 by deleting the language "Senate Bill No. ____ / House Bill No. ____" and inserting "Senate Bill No. 2253 / House Bill No. 1828";

AND FURTHER AMEND in Section 8, Item 12 by deleting the language "Regulatory Authority" and substituting instead the language "Public Utility Commission";

AND FURTHER AMEND in Section 9, Item 32, by deleting the language ", pursuant to Tennessee Code Annotated, Section 48-2-115";

AND FURTHER AMEND in Section 15, Item 11 by deleting the language "Regulatory Authority" and substituting instead the language "Public Utility Commission";

AND FURTHER AMEND in Section 51, Item 1(a) by deleting the language "beginning July 1, 2017" and substituting instead the language "beginning July 1, 2018";

AND FURTHER AMEND by requesting the Engrossing Clerk to:

- (1) Delete the bold underlined explanatory headings in this amendment; and
- (2) Exclude this paragraph from the engrossed bill.

On motion, Amendment No. 3 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 4

LEGISLATIVE AMENDMENT

LEGISLATIVE ADJUSTMENTS

REDUCE 6.8M APPROPRIATION TO 2 TBI FUNDS

AMEND by adding the following language at the end of subsection (c) in Section 8, Item 53:

This subsection (c) is void if Senate Bill No. 1974 / House Bill No. 1959 becomes a law.

AND FURTHER AMEND by adding the following language at the end of subsection (d) in Section 8, Item 53:

This subsection (d) is void if Senate Bill No. 1974 / House Bill No. 1959 becomes a law.

REDUCE FUNDS FOR MOTOR VEHICLE REGISTRATION SB 270 / HB 268

AND FURTHER AMEND by deleting the amount "59,900" in Section 57, Item 1, line item 7 and substituting instead the amount "5,300".

AND FURTHER AMEND in Section 57, Item 1, by deleting the amount "6,988,400" and substituting instead the amount "6,933,800".

REDUCE HISTORIC JACKSON THEATRE

AND FURTHER AMEND by deleting the amount "500,000" in Section 56, Item 1, line item 38 and substituting instead the amount "400,000".

MAKE MISS TENNESSEE PAGEANT FUNDS NON-RECURRING

AND FURTHER AMEND in Section 56, Item 1, by deleting the following:

40. Miscellaneous Appropriations – Miss Tennessee Pageant	15,000	0
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and substituting instead the following:

40. Miscellaneous Appropriations – Miss Tennessee Pageant	0	15,000
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REDUCE SOUTHERN COLLEGE OPTOMETRY 300K RECURRING

AND FURTHER AMEND by deleting Section 56, Item 1, line item 21.

AND FURTHER AMEND in Section 56, Item 1, by deleting the amount "14,334,400" and substituting instead the amount "14,019,400".

AND FURTHER AMEND in Section 56, Item 1, by deleting the amount "63,840,400" and substituting instead the amount "63,755,400".

REDUCE UT ELLINGTON PROJECT

AND FURTHER AMEND by deleting the following language from Section 59, Item 3:

(b) University of Tennessee – UT Ellington Project Planning Funds, in the amount of \$2,000,000.

SECTION 59 – CAPITAL OUTLAY REVISIONS

AND FURTHER AMEND by adding the following language to the end of Section 59, Item 3:

REAPPROPRIATE 8M BALANCE FOR WEST TN VETERANS HOME

(g) Tennessee State Veterans Home Board – West Tennessee Veterans Home in Memphis, unexpended balance of the non-recurring appropriation made in Chapter 460, Public Acts of 2017, Section 64, Item 37, in the amount of \$8,000,000.

**ELIMINATE COST INCREASE FOR GRANTS TO COUNTIES TO
REDUCE TOBACCO-RELATED DISEASES**

AND FURTHER AMEND by deleting the following language from Section 36, Item 98:

, and the unexpended balance of the \$4,000,000 appropriation in Section 1, Title III-16, Item 4 of this act, for grants to counties to reduce tobacco-related diseases

CARRYFORWARD FOR 2017 APPROPRIATION FOR 2019 NCSL

AND FURTHER AMEND by deleting Section 36, Item 44 and substituting instead the following:

Item 44. To the Department of Economic and Community Development in Chapter 460, Public Acts of 2017, Section 64, Item 14; and in Chapter 758, Public Acts of 2016, Section 66, Item 18 for 2019 NCSL Annual Summit.

DELETE CARRYFORWARD FOR 2017 ALEC

AND FURTHER AMEND by deleting Section 36, Item 45.

AND FURTHER AMEND by adding the following new sections immediately following Section 59 and renumbering the subsequent sections accordingly:

DEDICATED SOURCE & EARMARKS & REDUCTIONS

SECTION 60.

REDUCE UNIVERSITY RESEARCH FUND

Item 1. The appropriation to the Tennessee Higher Education Commission, THEC Grants, in Section 1, Title III-10, Item 1.7, for the University Research Fund, as identified on Page B-86 of the 2018-2019 Budget Document, is reduced by the sum of \$5,000,000 (non-recurring). Such funding reduction is for the purpose of reducing funding for the University Research Fund.

FUND SOUTHERN COLLEGE FROM THEC RESERVES

Item 2. From reserves available to the Tennessee Higher Education Commission, there is earmarked the sum of \$300,000 (non-recurring) for the sole purpose of making a grant in such amount to the Southern College of Optometry, for the sole purpose of contract education.

REDUCE 6.8M APPROPRIATIONS TO TBI FUNDS

Item 3. The appropriation in Section 1, Title III-19, is reduced in the amount of \$4,555,200 (recurring) for the purpose of deleting appropriations from the TBI Drug

Chemistry Unit Drug Testing Fund and the TBI Toxicology Unit Intoxicant Testing Fund. This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

Item 4. The appropriation in Section 1, Title III-19, is reduced in the amount of \$2,268,000 (recurring). This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

REDUCE FASTTRACK

Item 5. The appropriation made to the Department of Economic and Community Development for the FastTrack Infrastructure and Job Training Assistance program, in Section 1, Title III-8, Item 7, as identified on Page B-302 of the 2018-2019 Budget Document, is reduced by the sum of \$9,000,000 (non-recurring). Such funding reduction is for the sole purpose of reducing funding for the FastTrack Infrastructure and Job Training Assistance program.

REDUCE TN STARS 529 COST INCREASE

Item 6. The appropriation made to the State Treasurer, TN Stars College Savings 529 Program, in Section 1, Title III-1, Item 7.3, as identified on Page B-18 of the 2018-2019 Budget Document, is reduced by the sum of \$450,000 (non-recurring). Such funding reduction is for the sole purpose of reducing funding for the TN Stars College Savings 529 Program.

ELIMINATE ARTS & MUSIC EDUCATION POSITION

Item 7. The appropriation to the Department of Education in Section 1, Title III-9, Item 1.1, for the purpose of adding one (1) position to oversee the music and arts grant program, as identified on Page B-84 of the 2018-2019 Budget Document, is reduced by the sum of \$135,000 (recurring). Such funding reduction is for the purpose of eliminating funding for adding such position.

**ELIMINATE COST INCREASE FOR GRANTS TO COUNTIES TO
REDUCE TOBACCO-RELATED DISEASES**

Item 8. The appropriation to the Department of Health, Health Services, in Section 1, Title III-16, Item 4, for grants to counties to reduce tobacco-related diseases, is reduced by the sum of \$4,000,000 (non-recurring). Such funding reduction is for the purpose of eliminating funding for grants to counties to reduce tobacco-related diseases.

ELIMINATE COST INCREASE FOR DOE MOUNTAIN

Item 9. The appropriation made to Miscellaneous Appropriations in Section 1, Title III-22, Item 10.16, for the Doe Mountain Recreation Authority Grant, as identified on Page B-22 of the 2018-2019 Budget Document, is reduced by the sum of \$100,000 (non-recurring). Such funding reduction is for the purpose of reducing funding for the Doe Mountain Recreation Authority Grant.

REDUCE LED LIGHTING AND CONTROLS UPGRADES

Item 10. The appropriation in Section 1, Title III-2, Item 4.5 is reduced by the sum of \$3,000,000 (non-recurring) for the purpose of reducing funds available for LED Lighting and Controls Upgrades.

EARMARK ALEC FOR NCSL SUMMIT

Item 11. The unexpended balance of the non-recurring appropriation made to the Department of Economic and Community Development in Chapter 758, Public Acts of 2016, Section 66, Item 47, in the amount of \$100,000, which was for hosting the 2017 ALEC States and Nation Policy Summit in Nashville, Tennessee, shall be earmarked to the Department in the fiscal year ending June 30, 2018, for the purpose of hosting the 2019 NCSL Annual Summit in Nashville, Tennessee. Any unexpended funds from the appropriation in this item; from the \$300,000 appropriation in Section 56, Item 1, line item 7, of this act; and from the \$500,000 appropriation in Section 36, Item 44, of this act; which are each made for the 2019 NCSL Annual Summit, shall not revert to the general fund at June 30 and shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year for the 2019 NCSL Annual Summit.

ELIMINATE TENNCARE BUILDING PURCHASE

Item 12. The appropriation in Section 1, Title III-31, Item 5, is reduced by the sum of \$3,315,400 for the sole purpose of eliminating debt service expense for the TennCare Building Purchase listed on page A-158 of the 2018-2019 Budget Document.

RECONCILE LEGISLATIVE INITIATIVES

Item 13. The appropriation in Section 1, Title III-22, Item 11.2, Legislative Initiatives, hereby is reduced in the amount of \$15,000,000 (of which \$5,000,000 is recurring and \$10,000,000 is non-recurring).

PROHIBIT SALE OF CITIZENS PLAZA

Item 14. No funds appropriated by this act or other acts of the 110th General Assembly, including funds appropriated for capital outlay of the state office buildings and support facilities revolving fund, shall be used, obligated, or expended for the sale of the existing building located at 400 Deaderick Street in Nashville, Tennessee.

SECTION 61.

Item 1. From the funds appropriated or available to any department, commission, board, agency, or other entity of state government, there is earmarked or appropriated, as applicable, a sum sufficient to fund any bill or resolution that becomes law, having an estimated first year's cost of \$50,000 or less, that is attributable to a specific entity or from a specific fund, and is not otherwise funded in this act.

Item 2. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of funding any joint resolution calling for an amendment to the Tennessee Constitution that is not otherwise funded in this act.

Item 3. From the funds appropriated to the Department of Economic and Community Development, there is earmarked the sum of \$1,000,000 (non-recurring) for the sole purpose of implementing Senate Bill 1649 / House Bill 1599, relative to work-based learning, if such bill becomes a law.

Item 4. From the funds appropriated to the Tennessee Bureau of Investigation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1697 / House Bill 1512, relative to TBI Retired Uniformed Officers, if such bill becomes a law.

Item 5. From the funds appropriated to the Department of Agriculture, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1709 / House Bill 1601, relative to the Corn Producers Board, if such bill becomes a law.

Item 6. From the funds appropriated to the Administrative Office of the Courts, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1808 / House Bill 1854, relative to people disqualified from jury service, if such bill becomes a law.

Item 7. From the funds appropriated to the Department of Mental Health and Substance Abuse Services, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1927 / House Bill 1956, relative to the Statewide Planning and Policy Council, if such bill becomes a law.

Item 8. From the funds appropriated to the Human Rights Commission, there is earmarked a sum sufficient not to exceed \$50,000 (non-recurring) for the sole purpose of digitization of case-related processes.

Item 9. From reserves available to the Department of Transportation in the Transportation Equity Fund for the rail program, there is earmarked the sum of \$10,000,000 (non-recurring) for the sole purpose of short line railroad repairs, improvements, and upgrades. It is the legislative intent that the funds earmarked in this item be used for projects identified in consultation with the Tennessee Short Line Railroad Alliance.

LEGISLATIVE INITIATIVES

SECTION 62.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement all bills and resolutions having an estimated first year's cost of \$50,000 or less, which become law and are adopted, respectively. It is the legislative intent that if such bills and resolutions are otherwise funded by the provisions of this act, then the funds appropriated in this item shall be reduced accordingly.

RECOGNIZE 6.8M TBI FEES AS GENERAL FUND REVENUE

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$6,823,200 (recurring) to the Tennessee Bureau of Investigation. This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$91,500 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1717 / House Bill 1722, relative to the offense of organized retail crime, if such bill becomes a law.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 (non-recurring) to the Department of Tourist Development for the sole purpose of implementing Senate Bill 2287 / House Bill 2371, relative to the Tennessee Sports Hall of Fame, if such bill becomes a law.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$483,000 (recurring) for the sole purpose of implementing Senate Bill 2364 / House Bill 1541, relative to episodes of care, if such bill becomes a law.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) for the sole purpose of implementing Senate Bill 2646 / House Bill 2326, relative to the "Tennessee Rural Hospital Transformation Act of 2018," if such bill becomes a law. It is the legislative intent that such funds be used for funding the first year of a three-year pilot program.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Correction for the sole purpose of implementing Senate Bill 1865 / House Bill 2181, relative to establishing a fund for the Department of Correction (DOC) to disperse one-time grants to supplement the funds for local reentry programs, if such bill becomes a law.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$87,700 (of which \$55,700 shall be recurring and \$32,000 shall be non-recurring) for the sole purpose of implementing Senate Bill 2519 / House Bill 1572, relative to cemeteries, if such bill becomes a law.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$62,600 (of which \$55,600 shall be recurring and \$7,000 shall be non-recurring) for the sole purpose of implementing Senate Bill 2520 / House Bill 1574, relative to historical preservation, if such bill becomes a law.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$332,300 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 2621 / House Bill 2159, relative to elderly and vulnerable adults, if such bill becomes a law.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,100 (recurring) for the sole purpose of implementing Senate Bill 1935 / House Bill 2025, relative to the address confidentiality program, if such bill becomes a law.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$374,100 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1787 / House Bill 2190, relative to controlled substances containing fentanyl, if such bill becomes a law.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$607,800 (of which \$26,200 shall be non-

recurring and \$581,600 shall be recurring) for the sole purpose of implementing Senate Bill 777 / House Bill 717, relative to substance abuse, if such bill becomes a law.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$345,900 (recurring) for the sole purpose of implementing Senate Bill 1494 / House Bill 1542, relative to services and supports for people with disabilities, if such bill becomes a law.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$176,300 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 200 / House Bill 294, relative to the offense of especially aggravated stalking, if such bill becomes a law.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$899,400 (of which \$800,000 shall be recurring and \$99,400 shall be non-recurring) for the sole purpose of implementing Senate Bill 5 / House Bill 10, relative to establishing an additional circuit court judge position in the 21st Judicial District, an additional trial court judge position in the 16th Judicial District, and an additional trial court judge position in the 19th Judicial District; and creating a judicial redistricting task force, if such bill becomes a law.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 2062 / House Bill 2111, relative to drug-free school zones, if such bill becomes a law.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$11,700,000 (non-recurring), to be matched with any and all available federal funds, to the Bureau of TennCare for the sole purpose of increasing the current DSP staff salary component in the DIDD/provider rate methodology. It is the legislative intent that this appropriation increase the hourly wages of direct care staff employed at the contracted agencies of the Department of Intellectual and Developmental Disabilities for the home and community-based waiver programs for individuals with intellectual and developmental disabilities. Prior to January 1, 2019, the Comptroller of the Treasury shall conduct a survey of salaries actually paid to direct care staff as a result of the appropriation in this item and shall report the results of the survey to the members of the General Assembly no later than February 1, 2019.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in equal amounts to each of the Science Alliance Museums.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Tourist Development for the sole purpose of continuing the Waterways Accessibility for Tennessee Recreation (WATR) grant funds to improve and maintain access to Tennessee's waterways.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,500 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the county government of Bedford County, Tennessee, to be used for a firefighters memorial.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,000,000 (recurring) to Tennessee Technological University for the sole purpose of enhancing the College of Engineering program in an effort to increase the number of College of Engineering graduates.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Families Free, to be used for providing services to mothers and children affected by neonatal abstinence syndrome.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to Johnson City for the sole purpose of costs associated with the Johnson City/Washington County Veterans Memorial.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$48,000 (recurring) to the Department of Safety for the sole purpose of funding the driver services center in McMinnville.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Mental Health and Substance Abuse Services to be used to expand an opioid addiction pilot program that provides opioid relapse treatment, including the use of long-acting, non-narcotic, injectable-medication-assisted treatment to adults who are participating or eligible for participation in a drug court treatment program.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to Jobs for Tennessee Graduates, Inc., to be used for providing a one-credit course, general elective to twelfth grade at-risk high school students.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Holocaust Commission, to be used for traveling exhibits and development of a rotating exhibit at the new Tennessee State Museum.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to Sullivan County for the sole purpose of expenses related to the Sullivan County Agriculture Center.

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants of \$50,000 to any senior center accredited by the National Council on Aging's National Institute of Senior Centers through the National Senior Center Accreditation Program. The funds shall be used solely for providing programs and services for older adults. The only such senior centers in Tennessee are as follows:

Johnson City Seniors' Center

FiftyForward College Grove

FiftyForward Knowles in Nashville

FiftyForward Madison Station

FiftyForward Donelson Station

FiftyForward Martin Center in Brentwood

Kingsport Senior Center

St. Clair Senior Center in Murfreesboro.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant for the redevelopment of Clayborn Temple.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to IMPACT America, to be used for the purpose of vision screenings for children in low-income communities statewide, and for equipment to accomplish those screenings.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Historical Commission for the sole purpose of restoration of the Historic Franklin Masonic Hall in Williamson County.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants, as follows:

(a) \$250,000 (non-recurring) to the Charles H. Coolidge Medal of Honor Heritage Center in Chattanooga, to be used for programs that educate youth, teens, and adults about the Congressional Medal of Honor; and

(b) \$100,000 (non-recurring) to the Dyersburg Army Air Base Memorial Association, Inc., to be used for the Veterans' Museum.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$270,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Sevier County School System, to be used for operation of the school system and to replace funds lost due to students leaving the district because of a temporary lack of housing.

Item 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the ETSU Center of Excellence and Center for Prescription Drug Abuse Prevention and Treatment Center in the ETSU College of Public Health for the sole purpose of funding to support research for the center to help combat the opioid epidemic in the region and state by providing a comprehensive approach providing treatment, prevention, risk reduction, and metrics.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$221,500 (of which \$23,100 shall be non-recurring and \$198,400 shall be recurring) to the Tennessee Bureau of Investigation, for the sole purpose of two (2) additional forensic scientist positions.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$425,000 (non-recurring) to the Department of Mental Health and Substance Abuse Services for the sole purpose of providing the Peer Engagement Program for the Regional Mental Health Institutes.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$85,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to the Dental Lifeline Network, to be used for a statewide Donated Dental Services (DDS) program that provides direct services to people with disabilities or who are elderly that have no access to dental care.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Hobart Ames Memorial Field Trial Club, to be used for restoration and preservation of the Stencil House at the Ames Plantation.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the LaFollette PostMark, to be used for replacement of period-style windows to assist the building in becoming eligible for the National Register of Historic Places.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$40,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants of \$10,000 each to the four Tennessee Chapters of the National Coalition of 100 Black Women, Inc. (Chattanooga, Memphis, Nashville, and Knoxville) for the purpose of enhancing programs and services related to the health, education, and economic empowerment of black women and girls in Tennessee.

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$56,000 (non-recurring) to the Commission on Children and Youth for the sole purpose of making a grant in such amount to Tennessee Court Appointed Special Advocate Association, Inc., to be used for quality assurance and expansion initiatives. The amount of this appropriation is intended to represent \$1,000 for each Court Appointed Special Advocate (CASA) program currently in active operation or development in this state.

Item 44. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$112,000 (non-recurring) to the Tennessee Commission on Children and Youth for the sole purpose of making grants in equal amounts to each of the 56 county Court Appointed Special Advocate (CASA) programs, including the 52 CASA programs currently in active operation and the 4 CASA programs currently in development, to be used for purposes related to the operation or development of the programs.

Item 45. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Foundation for Women Legislators, to be used for organizational membership for the Tennessee General Assembly Women's Caucus and training services.

Item 46. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$750,000 (non-recurring) to the Department of General Services for the sole purpose of making grants in the amount of \$150,000 each to the four (4) accredited Tennessee zoos and the Tennessee Aquarium, to be used for capital improvement projects.

Item 47. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Tennessee Bureau of Investigation for the sole purpose of expenses related to the operation of the Tennessee Dangerous Drug Task Force.

Item 48. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Health for the sole purpose of increasing the capacity of federally qualified health centers and community and faith-based health centers in Tennessee to provide medical and dental care to uninsured adults. The appropriation made under this item shall be divided equally between federally qualified health centers and community and faith-based health centers.

Item 49. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to the Safety Net program of Smile 180 Foundation in Davidson County, to be used for a safety net program to provide dentures to low-income individuals statewide.

Item 50. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$377,250 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to

Men of Valor, to be used to complete the final four (4) stages of the ongoing study being conducted by Belmont University on the impact of Men of Valor and The Next Door programs on recidivism rates in the state.

Item 51. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Education for the sole purpose of the Breakfast After the Bell school breakfast program. Any unexpended funds shall not revert to the general fund at June 30 and shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item 52. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,400,000 (recurring) to the Department of Health for the sole purpose of restoring funding to early childhood home visiting programs.

Item 53. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed \$1,300,000 (non-recurring) to the Department of Revenue for the sole purpose of making grants to the municipal government of the City of Oak Ridge and county government of the County of Roane, to be used to reimburse the City of Oak Ridge and Roane County for the city's and county's portions of the sales and use tax refund owed to UT-Battelle, LLC. Such funds shall be distributed to each of the local governments in amounts that represent the city's and county's respective portions.

Item 54. In addition to any other funds appropriated by the provisions of this act, and to the extent that earnings through June 30, 2018, are available from the Department of Treasury earnings credited to the general fund and not otherwise authorized and distributed to funds or entities participating in the State Pooled Investment Fund, Intermediate Term Investment Fund, and other cash investment programs administered by the State Treasurer, there is appropriated the amount of \$11,000,000 to the Department of Education to be used for the Energy Efficient Schools Initiative, in accordance with Tennessee Code Annotated, Title 49, Chapter 17 for the sole purpose of funding the principal amount of interest-bearing energy efficiency loans to Local Education Agencies. The availability of earnings shall periodically be determined and certified by the State Treasurer, with the approval of the Commissioner of Finance and Administration, prior to the distribution of any funds appropriated in this item. Any unexpended funds shall not revert to the general fund and shall be carried forward in a reserve to be expended for the purposes of this item.

Item 55. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$148,000 (non-recurring) to the Department of Health for the sole purpose of making grants to the Epilepsy Foundations across the state as follows: Epilepsy Foundation of Middle & West Tennessee, Epilepsy Foundation of Southeast Tennessee, and Epilepsy Foundation of East Tennessee. Such grants shall be used for education, child safety and prevention initiatives, and services to those with epilepsy. It is the legislative intent that such grants be distributed based on existing percentages.

Item 56. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Historical

Commission for the purpose of sewer and pavement improvements for the Carter House Visitor Center in Franklin, Tennessee.

SECTION 47 – ADDITION TO REVENUE FLUCTUATION RESERVE

AND FURTHER AMEND in Section 47, Item 2 by deleting the language "\$850,000,000 on June 30, 2019" and substituting instead the language "\$861,000,000 on June 30, 2019".

AND FURTHER AMEND by requesting the Engrossing Clerk to:

- (1) Delete the bold, underlined explanatory headings in this amendment; and
- (2) Exclude this paragraph from the engrossed bill.

On motion, Amendment No. 4 was adopted.

On motion of Senator Norris, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2644**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

Senator voting no was: Harris--1.

A motion to reconsider was tabled.

Senate Bill No. 2553 -- Budget Procedures -- As introduced, allows for grant payments under the grant assistance program for nursing home care being made monthly or quarterly; makes statutory revisions required for implementation of the annual appropriations act. Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71.

On motion, Senate Bill No. 2553 was made to conform with **House Bill No. 2646**.

On motion, House Bill No. 2646, on same subject, was substituted for Senate Bill No. 2553.

Senator Norris moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

On motion of Senator Norris, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2646** passed its third and final consideration by the following vote:

Ayes 32
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

Senator voting no was: Harris--1.

A motion to reconsider was tabled.

Senate Bill No. 2554 -- Bond Issues -- As introduced, authorizes the state to issue and sell bonds of up to \$245,435,000.

On motion, Senate Bill No. 2554 was made to conform with **House Bill No. 2645**.

On motion, House Bill No. 2645, on same subject, was substituted for Senate Bill No. 2554.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2645** passed its third and final consideration by the following vote:

Ayes 32
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

Senator voting no was: Harris--1.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 2418 -- Handgun Permits -- As introduced, exempts from the firing range and classroom hours requirements to obtain a handgun carry permit anyone who in the five years preceding the date of application has successfully completed a department of correction firearms qualification. Amends TCA Section 39-17-1351.

On motion, Senate Bill No. 2418 was made to conform with **House Bill No. 1038**.

On motion, House Bill No. 1038, on same subject, was substituted for Senate Bill No. 2418.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1038** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 2478 -- Alcoholic Beverages -- As introduced, authorizes the City of Cedar Hill in Robertson County to hold a referendum to authorize the retail sale of alcoholic beverages in package stores and for consumption on the premises. Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

On motion, Senate Bill No. 2478 was made to conform with **House Bill No. 2175**.

On motion, House Bill No. 2175, on same subject, was substituted for Senate Bill No. 2478.

House Bill No. 2175 passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 2490 -- Municipal Government -- As introduced, authorizes members of the board of commissioners in a municipality with a city manager-commission charter to attend meetings via videoconferencing; members attending via videoconferencing are present for purposes of quorum and voting. Amends TCA Title 6, Chapter 18; Title 6, Chapter 19; Title 6, Chapter 20; Title 6, Chapter 21; Title 6, Chapter 22 and Title 6, Chapter 23.

On motion, Senate Bill No. 2490 was made to conform with **House Bill No. 2637**.

On motion, House Bill No. 2637, on same subject, was substituted for Senate Bill No. 2490.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2637** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Green moved that **Senate Bill No. 2557** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 2591 -- Education, Dept. of -- As introduced, creates the "Homeless Student Stability and Opportunity Gap Act." Amends TCA Title 49 and Title 71.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Homeless Student Stability and Opportunity Gap Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 50, is amended by adding the following language as a new part:

49-50-1701.

As used in this part, "homeless child or youth" and "homeless student" have the same meaning as "homeless children and youths" in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(2)).

49-50-1702.

(a) In accordance with the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.), LEAs must:

(1) Provide educational services and support to homeless students; and

(2) Designate a local liaison responsible for ensuring homeless students are identified and have a full and equal opportunity to succeed in school.

(b) The department of education shall provide technical assistance to homeless-student liaisons as needed.

49-50-1703.

A minor may obtain a birth certificate from the department of health and a state-issued identification card from the department of safety; provided, that the minor has been verified as a homeless child or youth by at least one (1) of the following:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless people;

(2) An LEA liaison for homeless children or youth designated pursuant to 42 U.S.C. § 11432(g)(1)(J)(ii), or a school social worker or counselor;

(3) The director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or the director's designee; or

(4) A financial aid administrator.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

Senator Yarbrow moved that **Senate Bill No. 2591** be moved three places down on Calendar No. 1 for today, which motion prevailed.

Senator Gresham moved that **Senate Bill No. 578** be placed on the last Calendar, which motion prevailed.

Senator Yager moved that **Senate Bill No. 891** be placed on the last Calendar, which motion prevailed.

Senate Bill No. 2214 -- Zoning -- As introduced, reduces from eight to six the number of unrelated persons with disabilities who may reside in a home classified under any Tennessee zoning law as a "single family residence"; authorizes municipalities to adopt an ordinance requiring sober living homes to provide notification to the municipality of certain information regarding the home and establish and comply with an operational plan. Amends TCA Title 13, Chapter 24, Part 1.

On motion, Senate Bill No. 2214 was made to conform with **House Bill No. 1929**.

On motion, House Bill No. 1929, on same subject, was substituted for Senate Bill No. 2214.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1929** passed its third and final consideration by the following vote:

Ayes 30
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator voting no was: Hensley--1.

A motion to reconsider was tabled.

Senator Yarbrow moved that **Senate Bill No. 2591** be moved three places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 2381 -- Education -- As introduced, requires the department of education to transmit its model policy for alternatives to exclusionary discipline practices for students in pre-kindergarten and kindergarten by email to the chairs of the education committees of the senate and the house of representatives when the department disseminates the model policy to the LEAs. Amends TCA Title 49, Chapter 6, Part 30; Title 49, Chapter 6, Part 34 and Title 49, Chapter 6, Part 40.

On motion, Senate Bill No. 2381 was made to conform with **House Bill No. 2376**.

On motion, House Bill No. 2376, on same subject, was substituted for Senate Bill No. 2381.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Bell moved that **House Bill No. 2376** be moved five places down on Calendar No. 1 for today, which motion prevailed.

House Bill No. 1344 -- Election Laws -- As introduced, requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. Amends TCA Title 2; Title 6 and Title 49.

Thereupon, **House Bill No. 1344** passed its third and final consideration by the following vote:

Ayes	26
Noes	3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Watson, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Harris, Hensley and Kelsey--3.

A motion to reconsider was tabled.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 749** on the calendar for the Committee on Finance, Ways and Means for Wednesday, April 18, 2018, which motion prevailed.

RECESS

Senator Norris moved the Senate stand in recess until 1:40 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 777 with amendment, 1494 with amendment, 1717, 1787, 1877, 1935, 2037 with amendment, 2062 with amendment, 2119 with amendment, 2364 with amendment, 2448, 2489 with amendment and 2656 with amendment.

WATSON, Chairperson
April 18, 2018

The Speaker announced that he had referred Senate Bills Nos. 777 with amendment, 1494 with amendment, 1717, 1787, 1877, 1935, 2037 with amendment, 2062 with amendment, 2119 with amendment, 2364 with amendment, 2448, 2489 with amendment and 2656 with amendment to the Committee on Calendar.

TRANSPORTATION AND SAFETY

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 1001.

BAILEY, Chairperson
April 18, 2018

The Speaker announced that he had referred House Joint Resolution No. 1001 to the Committee on Calendar.

CALENDAR NO. 1

Mr. Speaker McNally moved that **Senate Bill No. 1674** be moved five places down on Calendar No. 1 for today, which motion prevailed.

FURTHER ACTION ON SENATE BILL NO. 2591

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Green moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Homeless Student Stability and Opportunity Gap Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 50, is amended by adding the following language as a new part:

49-50-1701.

As used in this part, "homeless child or youth" and "homeless student" have the same meaning as "homeless children and youths" in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(2)).

49-50-1702.

(a) In accordance with the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.), LEAs must:

(1) Provide educational services and support to homeless students; and

(2) Designate a local liaison responsible for ensuring homeless students are identified and have a full and equal opportunity to succeed in school.

(b) The department of education shall provide technical assistance to homeless-student liaisons as needed.

49-50-1703.

A minor may obtain a copy of the minor's birth certificate from the department of health and a state-issued identification card from the department of safety; provided, that the minor has been verified as a homeless child or youth by at least one (1) of the following:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless people;

(2) An LEA liaison for homeless children or youth designated pursuant to 42 U.S.C. § 11432(g)(1)(J)(ii), or a school social worker or counselor;

(3) The director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or the director's designee; or

(4) A financial aid administrator.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

Thereupon, **Senate Bill No. 2591**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1759 -- Motor Vehicles -- As introduced, removes expired requirement that department of human services promulgate rules regarding child restraint system use by children transported by child care agencies no later than January 1, 2007. Amends TCA Title 39 and Title 55.

Senator Bailey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 2, is amended by adding the following as a new section:

(a) It is an offense for the operator or a passenger of an enclosed motor vehicle to smoke cigarettes, pipes, or cigars in a motor vehicle when a child who is fourteen (14) years of age or less is also present in the vehicle, regardless of whether the windows of the motor vehicle are down.

(b)(1) A violation of subsection (a) is punishable as follows:

(A) A first offense is punishable only by the issuance of a warning citation;

(B) A second offense is a Class C misdemeanor punishable only by a fine of twenty dollars (\$20.00) and court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers; and

(C) A third or subsequent offense is a Class C misdemeanor punishable only by a fine of fifty dollars (\$50.00) and court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers.

(2) No state or local litigation taxes shall be applicable to a case prosecuted under this section.

(c)(1) Probable cause for a violation of this section shall be based solely upon a law enforcement officer's clear and unobstructed view of a person smoking as prohibited by this section.

(2) A violation of this section shall not be considered a primary offense, and a law enforcement officer shall not stop a motor vehicle solely because of a violation of this section.

(3) A law enforcement officer shall not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this section; except, that this subdivision (c)(3) does not prevent the application of the plain view doctrine.

(d) A traffic citation that is based solely upon a violation of this section shall be considered a nonmoving traffic violation, and no points shall be added to a driver record for the violation.

(e) The department of transportation is directed to utilize the department's permanent electronic overhead informational displays located throughout this state to provide periodic messages to the motoring public as to the provisions of this section.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

Senator Haile moved for the previous question on Amendment No. 1, which motion failed by the following vote:

Ayes	9
Noes	20
Present, not voting . . .	1

Senators voting aye were: Briggs, Crowe, Dickerson, Gardenhire, Haile, Watson, Yager, Yarbrow and Mr. Speaker McNally--9.

Senators voting no were: Bailey, Bell, Bowling, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Stevens and Swann--20.

Senator present and not voting was: Roberts--1.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1759**, as amended, failed for lack of a constitutional majority by the following vote:

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Ayes 16
Noes 9
Present, not voting . . . 4

Senators voting aye were: Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Kyle, Lundberg, Massey, Swann, Watson, Yager and Yarbrow--16.

Senators voting no were: Bailey, Bell, Bowling, Johnson, Kelsey, Niceley, Pody, Southerland and Stevens--9.

Senators present and not voting were: Green, Harris, Roberts and Mr. Speaker McNally--4.

A motion to reconsider was tabled.

Pursuant to Rule 62 and Article II, Section 18, **Senate Bill No. 1759**, as amended, was rereferred to the Committee on Calendar.

Senate Bill No. 1851 -- Adoption -- As introduced, extends from 30 days to 35 days the period of advance notice that licensed child-placing agencies and licensed clinical social workers must provide to the department of children's services before changing the fees charged for services provided to adoptive parents. Amends TCA Title 36 and Title 37, Chapter 5.

On motion, Senate Bill No. 1851 was made to conform with **House Bill No. 1856**.

On motion, House Bill No. 1856, on same subject, was substituted for Senate Bill No. 1851.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1856** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Lundberg moved that **House Bill No. 2376** be placed on the Calendar for Monday, April 23, 2018, which motion prevailed.

Senator Haile moved that **Senate Bill No. 2257** be placed behind **Senate Bill No. 2258**, which motion prevailed.

Senate Bill No. 2258 -- Controlled Substances -- As introduced, revises various provisions of law regarding the scheduling of controlled substances and their analogues and derivatives, including updated identifications of drugs categorized in Schedules I-V; authorizes sentence

reduction credits for prisoners who successfully complete intensive substance use disorder treatment program. Amends TCA Title 39, Chapter 17, Part 4; Title 41, Chapter 21, Part 2; Title 53 and Title 63.

On motion, Senate Bill No. 2258 was made to conform with **House Bill No. 1832**.

On motion, House Bill No. 1832, on same subject, was substituted for Senate Bill No. 2258.

Senator Pody moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Yager moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following as new Sections 10 and 11 and renumbering the existing sections accordingly:

SECTION 10. Tennessee Code Annotated, Section 39-17-452(a)(2)(H), is amended by deleting the subdivision in its entirety.

SECTION 11. Tennessee Code Annotated, Section 39-17-452(a), is amended by adding the following language as a new subdivision (a)(1) and redesignating the existing subdivisions accordingly:

(1) Unless specifically excepted or unless listed in another schedule, it is an offense to knowingly produce, manufacture, distribute, sell, offer for sale, or possess any capsule, pill, or other product composed of or containing any amount of Kratom, in its natural botanical form, or any capsule, pill, or other product composed of or containing any amount of mitragynine or hydroxymitragynine.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes	16
Noes	13
Present, not voting . . .	1

Senators voting aye were: Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Norris, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--16.

Senators voting no were: Bowling, Green, Harper, Harris, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Tate and Yarbrow--13.

Senator present and not voting was: Roberts--1.

Senator Green moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting Section 11 and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 39-17-452(a), is amended by adding the following language as a new subdivision (a)(1) and redesignating the existing subdivisions accordingly:

(A) Unless specifically excepted or unless listed in another schedule, it is an offense for a person under the age of twenty-one (21) to knowingly purchase or possess Kratom in the form of a tea, dietary supplement, or food ingredient. All persons purchasing Kratom must present valid, government-issued photo identification at the point of sale.

(B)(i) To be eligible for sale in this state, Kratom in the form of a tea, dietary supplement, or food ingredient must be manufactured in compliance with the requirements of sections 402(g)(2), 415, and 761 of the Federal Food, Drug and Cosmetic Act, codified in 21 U.S.C. §§ 342(g)(2), 350d, and 379aa-1.

(ii) All Kratom products must consist of the raw leaf and in the form of either:

(a) Dried, cut, and sifted leaf; or

(b) Raw tea leaf powder.

(iii) Retail Kratom products may only be sold as follows:

(a) Raw, powdered tea leaf encapsulated in vegetarian or gelatin capsules, not to exceed nine hundred milligrams (900 mg.) per capsule, packaged in bottles containing no more than one hundred twenty (120) capsules per bottle; or

(b) Raw, powdered tea leaf or dried, cut, and sifted leaf in pouches containing no more than five ounces (5 oz.) of raw material per pouch.

Senator Yager moved that Amendment No. 3 go to the table, which motion prevailed by the following vote:

Ayes 17
Noes 15

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Jackson, Johnson, Ketron, Norris, Stevens, Swann, Watson, Yager and Mr. Speaker McNally --17.

Senators voting no were: Bowling, Green, Harper, Harris, Hensley, Kelsey, Kyle, Lundeberg, Massey, Niceley, Pody, Roberts, Southerland, Tate and Yarbrow--15.

On motion of Senator Pody, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1832**, as amended, passed its third and final consideration by the following vote:

Ayes 27
Noes 2

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Norris, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Niceley and Tate--2.

A motion to reconsider was tabled.

Senate Bill No. 2257 -- Controlled Substances -- As introduced, makes various changes to the requirements for prescribing, dispensing, and reporting of opioids. Amends TCA Title 39, Chapter 17, Part 4; Title 41, Chapter 21, Part 2; Title 53 and Title 63.

Senator Norris declared Rule 13 on **Senate Bill No. 2257**.

Senator Dickerson declared Rule 13 on **Senate Bill No. 2257**.

Senator Green declared Rule 13 on **Senate Bill No. 2257**.

Senator Briggs declared Rule 13 on **Senate Bill No. 2257**.

On motion, Senate Bill No. 2257 was made to conform with **House Bill No. 1831**.

On motion, House Bill No. 1831, on same subject, was substituted for Senate Bill No. 2257.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Senator Hensley moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved to amend as follows:

AMENDMENT NO. 3

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding any law to the contrary, no state entity shall establish through rule or otherwise a preference for a FDA-approved medication used to treat opioid use disorder over any other FDA-approved medication used to treat opioid use disorder. For purposes of this section, "preference" includes prior authorization, a fail-first policy, reimbursement rates, and any other state action that has the effect of diminishing parity among FDA-approved medications to treat opioid use disorder in this state.

Senator Haile moved that Amendment No. 3 go to the table, which motion prevailed by the following vote:

Ayes 19
Noes 7

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Senators voting aye were: Bailey, Bell, Crowe, Gardenhire, Gresham, Haile, Jackson, Johnson, Ketron, Lundberg, Massey, Norris, Pody, Roberts, Southerland, Stevens, Swann, Yager and Mr. Speaker McNally--19.

Senators voting no were: Dickerson, Green, Harper, Harris, Hensley, Kyle and Yarbro--7.

Senator Yarbro moved to amend as follows:

AMENDMENT NO. 4

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Any funds received by the state from a settlement of litigation establishing liability for increased opioid use in this state must be used to support opioid use disorder treatment.

Senator Haile moved that Amendment No. 4 go to the table, which motion prevailed.

Senator Hensley moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 53-10-305(b)(1), is amended by redesignating the existing subdivision (b)(1)(L) as (b)(1)(M) and adding the following language as a new subdivision (b)(1)(L):

(L) A value signifying opioid treatment is occurring pursuant to a medical necessity under Section 6 of this act for any prescription containing the words "medical necessity." The value will be determined by the committee and published through the committee's website;

AND FURTHER AMEND by deleting subdivision (a)(3) from Section 6 and redesignating the subsequent subdivisions accordingly.

AND FURTHER AMEND by adding the word "and" at the end of subdivision (d)(1)(A)(ii) in Section 6, deleting subdivision (d)(1)(A)(iii), and redesignating subdivision (d)(1)(A)(iv) as subdivision (d)(1)(A)(iii).

AND FURTHER AMEND by deleting subdivision (d)(1)(B) from Section 6 and substituting instead the following:

(B) A healthcare practitioner who is dispensing pursuant to a prescription written by another healthcare practitioner for more than a three-day supply of an opioid is not required to satisfy subdivisions (d)(1)(A)(i)-(iii) when filling a prescription; provided, that the healthcare practitioner shall not dispense more than one (1) prescription for an opioid to a patient per encounter.

AND FURTHER AMEND by deleting the language "the ICD-10 code for the primary disease documented in the patient's chart and" from subsection (e) in Section 6.

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Senator Haile moved that Amendment No. 2 go to the table, which motion failed by the following vote:

Ayes 5
Noes 25

Senators voting aye were: Haile, Ketron, Norris, Swann and Mr. Speaker McNally--5.

Senators voting no were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Tate, Yager and Yarbro--25.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes 19
Noes 10

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Harris, Hensley, Jackson, Johnson, Kyle, Lundberg, Niceley, Pody, Roberts, Southerland, Tate and Yarbro --19.

Senators voting no were: Bailey, Gardenhire, Haile, Kelsey, Ketron, Massey, Norris, Swann, Yager and Mr. Speaker McNally--10.

Thereupon, **House Bill No. 1831**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 1

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--30.

Senator voting no was: Bowling--1.

A motion to reconsider was tabled.

Senate Bill No. 1674 -- Tattoos and Piercings -- As introduced, authorizes a tattoo artist to perform tattoo removal only as permitted by rules promulgated by the department of health. Amends TCA Section 62-38-209.

On motion, Senate Bill No. 1674 was made to conform with **House Bill No. 1485**.

On motion, House Bill No. 1485, on same subject, was substituted for Senate Bill No. 1674.

Senator Roberts moved that **House Bill No. 1485** be moved ten places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 2029 -- Education -- As introduced, creates additional privacy protections for students' education and health records; prohibits release of student records in certain circumstances without parents' informed written consent. Amends TCA Title 49.

On motion, Senate Bill No. 2029 was made to conform with **House Bill No. 2690**.

On motion, House Bill No. 2690, on same subject, was substituted for Senate Bill No. 2029.

Thereupon, **House Bill No. 2690**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Niceley moved that **Senate Bill No. 1915** be placed on the Calendar for Thursday, April 19, 2018, which motion prevailed.

House Bill No. 2195 -- Local Government, General -- As introduced, prohibits local governments from adopting or enforcing regulations that prohibit or restrict the display of a flag on a property owner's property except when necessary to promote public health and safety. Amends TCA Title 5, Chapter 5; Title 6, Chapter 54 and Title 13, Chapter 7.

Senator Niceley moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Green moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the language "a flag" wherever it may appear in Section 1 and Section 2 and substituting instead the language "a flag of the United States of America, a flag of the state of Tennessee, the MIA/POW flag, or an official or replica flag of any branch of the United States armed forces".

On motion, Amendment No. 2 was adopted.

On motion of Senator Niceley, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2195**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 0

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Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 1839 -- Education, Higher -- As introduced, requires the board of trustees of the University of Tennessee system to submit its report to the governor on the number of students and the workings of the system 10 business days instead of 10 days before the general assembly convenes. Amends TCA Title 49.

On motion, Senate Bill No. 1839 was made to conform with **House Bill No. 1894**.

On motion, House Bill No. 1894, on same subject, was substituted for Senate Bill No. 1839.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1894** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 41 -- Civil Procedure -- As introduced, makes licensed clinical social workers exempt from subpoena to trial but subject to subpoena to a deposition. Amends TCA Title 24, Chapter 9, Part 1.

On motion, Senate Bill No. 41 was made to conform with **House Bill No. 3**.

On motion, House Bill No. 3, on same subject, was substituted for Senate Bill No. 41.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 24-9-101(a), is amended by adding the following new subdivision:

(9) A licensed clinical social worker, as defined in § 63-23-105 and engaged solely in independent clinical practice, in proceedings in which the department of children's services is the petitioner or intervening petitioner.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 3**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 157** be moved one place down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 244 -- Abortion -- As introduced, prohibits abortions from the point a fetal heartbeat is detected; requires fetal heartbeat testing prior to an abortion; creates exceptions. Amends TCA Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2.

On motion, Senate Bill No. 244 was made to conform with **House Bill No. 108**.

On motion, House Bill No. 108, on same subject, was substituted for Senate Bill No. 244.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 108** passed its third and final consideration by the following vote:

Ayes	24
Noes	4

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--24.

Senators voting no were: Harper, Harris, Kyle and Yarbro--4.

A motion to reconsider was tabled.

Senate Bill No. 157 -- Public Funds and Financing -- As introduced, clarifies that the power of the Tennessee Local Development Authority to purchase bonds or notes under the Tennessee Local Development Authority Act is supplemental to other laws conferring that power; clarifies that professional services are not required to be based on competitive procurement methods; requires superintendents of correctional institutions to keep records of supplies electronically or in a well-bound book; clarifies that bonds are exempt from gift taxes imposed prior to January 1, 2012. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64; Title 68 and Title 69.

On motion, Senate Bill No. 157 was made to conform with **House Bill No. 132**.

On motion, House Bill No. 132, on same subject, was substituted for Senate Bill No. 157.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 132** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 492 -- Taxes, Real Property -- As introduced, eliminates the right of redemption for real property sold in a tax sale. Amends TCA Title 7; Title 8; Title 21; Title 26; Title 35; Title 40; Title 66 and Title 67.

On motion, Senate Bill No. 492 was made to conform with **House Bill No. 601**.

On motion, House Bill No. 601, on same subject, was substituted for Senate Bill No. 492.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 601** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 488 -- Juvenile Offenders -- As introduced, creates the delinquent act of illegal use of a communications device by a minor, which prohibits the creation, receipt, exchange, or possession of a photograph, video, or other material that shows a minor in a state of nudity. Amends TCA Title 39, Chapter 13; Title 39, Chapter 17 and Title 40, Chapter 35.

On motion, Senate Bill No. 488 was made to conform with **House Bill No. 1140**.

On motion, House Bill No. 1140, on same subject, was substituted for Senate Bill No. 488.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1140** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 793 -- Alcoholic Beverages -- As introduced, makes ineligible for a certain defense to prosecution a person charged with criminal trespass at a licensed retail package store. Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4.

On motion, Senate Bill No. 793 was made to conform with **House Bill No. 447**.

On motion, House Bill No. 447, on same subject, was substituted for Senate Bill No. 793.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Senator Yager moved to amend as follows:

AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the last section accordingly:

SECTION __. Tennessee Code Annotated, Section 57-3-106, is amended by adding the following as a new subsection:

() (1) Notwithstanding subsection (a), in any county that has approved the sale at retail of alcoholic beverages, retail sales may be made within the boundaries of any property under the control of a property owners association that:

(A) Includes at least four thousand five hundred (4,500) homes;

(B) Contains three (3) golf courses, a country club, and a yacht club;

(C) Is managed by a 501(c) nonprofit corporation;

(D) Is located on the banks of Tellico Reservoir; and

(E) Is located in any county having a population not less than forty-eight thousand five hundred (48,500) and not more than forty-eight thousand six hundred (48,600), according to the 2010 federal census or any subsequent federal census.

(2) Notwithstanding any other law to the contrary, the commission may issue a retailer's license to any 501(c) nonprofit corporation described in subdivision () (1)(C).

Senator Swann moved that Amendment No. 2 go to the table.

Senator Yager moved that **House Bill No. 447** be moved two places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 824 -- Education, Higher -- As introduced, beginning in 2018, requires public higher education institutions to report to the secretary of state the percentage of student disciplinary contested cases in which a faculty member or institution employee sat as the administrative judge during the prior calendar year; the data will be reported to several legislative committees. Amends TCA Title 4, Chapter 5; Title 10, Chapter 7; Title 24 and Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Student Due Process Protection Act."

SECTION 2. Tennessee Code Annotated, Section 4-5-301(d), is amended by adding the following language to the subsection:

The office of the secretary of state shall grant a request by a public institution of postsecondary or higher education to have an administrative judge or hearing officer employed in the office of the secretary of state hear a contested case.

SECTION 3. Tennessee Code Annotated, Section 4-5-324, is amended by designating the existing language as subsection (a) and adding the following language as subsection (b):

An administrative judge or hearing officer who hears contested cases referred to the office of the secretary of state by a public institution of postsecondary or higher education involving allegations of sexual assault, dating violence, domestic violence, or stalking shall annually participate in training that satisfies the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), and the federal regulations implementing those statutes, as amended.

SECTION 4. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following language as a new, appropriately designated subsection:

(1) Notwithstanding any law to the contrary, information that is reasonably likely to identify a student accused of committing an alleged sexual offense or alleged violent sexual offense as defined in § 40-39-202 or any information that is reasonably likely to identify the victim of an alleged sexual offense or alleged violent sexual offense as defined in § 40-39-202, must be treated as confidential and not be open for inspection by members of the public.

(2) Nothing in this subsection:

(A) Limits or denies access to otherwise public information because a file, document, or data file contains information that is reasonably likely to identify a student accused of committing a sexual offense or violent sexual offense or the victim of a sexual offense or violent sexual offense; however, all information that is reasonably likely to identify a student accused of committing a sexual offense or violent sexual offense, or the victim of a sexual offense or violent sexual offense must be redacted before any access is granted to a member of the public for inspection;

(B) Prevents the district attorney general, the attorney general and reporter, or counsel for a defendant from providing to each other in a pending criminal case or appeal, where the constitutional rights of the defendant require it, information that otherwise may be held confidential under this subsection; or

(C) Limits access to records by law enforcement agencies, courts, or other governmental agencies or instrumentalities performing official functions.

SECTION 5. Tennessee Code Annotated, Title 24, Chapter 7, is amended by adding the following language as a new section:

(a) A written or oral statement of a party given in a student disciplinary proceeding concerning sexual misconduct must not be admissible in any civil or criminal trial, hearing, or proceeding for any purpose or be used for impeachment without the informed and written consent of the party if the statement was made in a student disciplinary proceeding in which the party did not have the active assistance of counsel.

(b) This section does not create a right for a party to be represented at the expense of the public, including a public institution of higher education.

(c) This section does not require a public institution of higher education to adopt formal rules of evidence in student disciplinary proceedings that are not a contested case under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(d) As used in this section:

(1) "Active assistance of counsel" means the right to be represented by a licensed attorney who is allowed to fully participate in the student disciplinary proceeding or an appeal of a result of a student disciplinary proceeding;

(2) "Civil or criminal trial, hearing, or proceeding" does not include any type of civil action, counterclaim, cross-claim, or third-party complaint initiated by or against a public institution of higher education;

(3) "Fully participate" means being allowed to engage in the following conduct in a student disciplinary proceeding on behalf of a party:

(A) Make arguments to the hearing officer, including opening and closing arguments during a hearing and arguments on procedural and evidentiary issues; and

(B) Examine and cross-examine witnesses, directly or indirectly, if live witness testimony is presented;

(4) "Hearing officer" means:

(A) A hearing officer, hearing panel, or hearing board in a student disciplinary proceeding other than a contested case conducted under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5; or

(B) An administrative law judge or hearing officer under the contested case provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

(5) "Party" means:

(A) A student accused of sexual misconduct; or

(B) A victim of sexual misconduct;

(6) "Student disciplinary proceeding" means a hearing, proceeding, or any other non-law enforcement process, other than an investigation, that is used by a public higher education institution to determine whether sexual misconduct occurred or to impose a sanction with respect to sexual misconduct; and

(7) "Sexual misconduct" means a violation of a public higher education institution's disciplinary policies concerning sexual assault, dating violence, domestic violence, or stalking.

SECTION 6. Tennessee Code Annotated, Section 49-7-122, is amended by deleting the section in its entirety and substituting instead the following:

(a) An employee of a public institution of higher education who investigates sexual misconduct shall complete the following at least one (1) time each year:

(1) Training that satisfies the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (compiled in 20 U.S.C. § 1092(f)), and the federal regulations implementing the statutes, as amended, all of which may be satisfied by the training in subdivision (a)(2); or

(2) Training developed or conducted by the Tennessee Law Enforcement Innovation Center for investigators who perform investigations of sexual misconduct.

(b) As used in this section, "sexual misconduct" means an alleged violation of a public higher education institution's policies concerning sexual assault, dating violence, domestic violence, or stalking.

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) Contested cases under the Uniform Administrative Procedure Act, compiled in title 4, chapter 5, in which a student at a public institution of higher education is charged with sexual misconduct and is subject to expulsion or a suspension of more than nine (9) days must be referred to the office of the secretary of state for hearing by an administrative judge or hearing officer employed in the office of the secretary of state. Contested cases under the Uniform Administrative Procedure Act, compiled in title 4, chapter 5, in which a student at a public institution of higher education is charged with misconduct other than sexual misconduct and is subject to expulsion or a suspension of more than nine (9) days may be referred to the office of the secretary of state for hearing by an administrative judge or hearing officer employed in the office of the secretary of state. Notwithstanding any law to the contrary, a student shall be deemed to have waived the student's right to a contested case proceeding under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, if the student fails to exercise the right to a contested case proceeding in writing within fourteen (14) calendar days after the institution sent a notice of the right to a contested case proceeding to the student.

(b) Public institutions of higher education may continue to:

(1) Appoint an administrative judge or hearing officer to conduct contested cases under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in which the legal rights, duties, or privileges of institutional nonstudent employees or other nonstudents are at issue, subject to subsections (c) and (d); or

(2) Refer a contested case under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in which the legal rights, duties, or privileges of institutional nonstudent employees or other nonstudents are at issue to the office of the secretary of state for hearing by an administrative judge or hearing officer employed in the office of the secretary of state.

(c) An administrative judge or hearing officer appointed by a public institution of higher education pursuant to subsection (b) must be one (1) of the following:

(1) An administrative judge or hearing officer employed by the office of the secretary of state;

(2) A licensed attorney who does not serve as an attorney for the institution;

(3) An employee of the institution who has participated in the same or a substantially similar program of training required for an administrative judge or hearing officer in § 4-5-324; or

(4) An employee of a public institution of higher education that is not involved in the contested case who has participated in the same or a substantially similar program of training required for an administrative judge or hearing officer in § 4-5-324.

(d) An administrative judge or hearing officer appointed by a public institution of higher education pursuant to subsection (b) is subject to:

(1) The disqualification provisions of § 4-5-302; and

(2) The conflict of interest provisions of § 4-5-303.

(e) No earlier than twelve (12) months prior to hearing a contested case under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, that involves sexual misconduct, an administrative judge or hearing officer shall complete a training that satisfies the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), and the federal regulations implementing those statutes, as amended.

(f) As used in this section, "sexual misconduct" means a violation of a public higher education institution's policies concerning sexual assault, dating violence, domestic violence, or stalking.

(g) Nothing in this section is intended to prohibit a student charged with a student disciplinary offense from waiving the student's right to a contested case hearing under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, provided that prior to waiving that right, the student is informed in writing of the rights provided under this section.

SECTION 8. Tennessee Code Annotated, Title 49, Chapter 7, is further amended by adding sections 9 through 12 of this act as a new part.

SECTION 9. This part shall apply to all public higher education institutions located in this state.

SECTION 10. As used in this part, unless the context requires otherwise:

(1) "Institution" means any public institution of higher education located within this state;

(2) "Notice" means written information sent to a student by the institution transmitted by:

(A) United States mail, courier service, or hand delivery to the permanent or local address the institution has on file for the student; or

(B) Email to the student's institution-provided email account, but only if the institution has adopted and published a written policy

establishing an institution-provided email account as a method of communication by which students should expect to receive communications from the institution about student conduct matters;

(3) "Sexual misconduct" means a violation of an institution's disciplinary policies concerning sexual assault, dating violence, domestic violence, or stalking; and

(4) "Student disciplinary proceeding" means a hearing, proceeding, or any other non-law enforcement process other than an investigation that is used by an institution to determine whether sexual misconduct occurred or impose a sanction with respect to sexual misconduct, including a contested case hearing conducted under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 11.

(a) An institution shall provide a student accused of sexual misconduct with notice of the extent to which the institution may allow a licensed attorney or other advisor to represent or advise the student in an investigation or student disciplinary proceeding.

(b) At least seventy-two (72) hours prior to a student disciplinary proceeding concerning charges of sexual misconduct, an institution shall provide a student accused of sexual misconduct with notice of the following:

(1) The time, place, and date of the student disciplinary proceeding;

(2) The name of each witness the institution expects to present at the student disciplinary proceeding and those the institution may present if the need arises;

(3) The student's right to request a copy of the institution's investigative file, redacted in accordance with the Family Educational Rights and Privacy Act of 1974, (20 U.S.C. § 1232g), and the federal regulations implementing that statute, as amended; and

(4) The student's right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence that the institution has in its possession, custody, or control and may use to support claims or defenses, unless the use would be solely for impeachment.

(c) When notice is sent pursuant to this section by United States mail or courier service, the notice is effective on the date that the notice is mailed or delivered to the courier service. When notice is hand delivered to the student from the institution, notice is effective on the date that the notice is delivered to the student to whom the notice is addressed. When notice is sent by email, the notice is effective on the date that the email is sent to the student's institution-provided email account.

(d) Nothing in this part is intended to prohibit a student charged with sexual misconduct from waiving the student's right to a contested case hearing under the

Uniform Administrative Procedures Act, compiled in title 4, chapter 5; provided, that prior to waiving that right the student is informed in writing of the rights provided in this part.

(e) Nothing in this part prohibits the temporary suspension of a student during an institution's pending investigation of student misconduct; provided, that the terms of temporary suspension do not violate the student's constitutional right to due process of law.

SECTION 12.

(a) An institution must adopt a policy requiring that the process of disciplining a student for sexual misconduct be carried out in a manner that is free from conflicts of interest consistent with due process of law.

(b) With respect to student disciplinary hearings other than contested cases under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the policy must provide for protections for a student accused of sexual misconduct analogous to, and no less protective than, the conflict of interest provisions of § 4-5-303.

(c) Nothing in this part prohibits an attorney for the institution from providing legal advice to multiple institutional employees who serve in different roles in the process of disciplining a student for sexual misconduct.

(d) Nothing in this part prohibits an institution from providing an alleged victim of sexual misconduct with equivalent rights as the student accused of sexual misconduct in an investigation, student disciplinary proceeding, or appeal.

SECTION 13. Tennessee Code Annotated, Section 49-8-115, is amended by adding the language "Except as provided in Section 7," before the first sentence of the section.

SECTION 14. Tennessee Code Annotated, Section 49-9-110, is amended by adding the language "Except as provided in Section 7," before the first sentence of the section.

SECTION 15. Public institutions of higher education may implement this part by promulgating emergency rules pursuant to the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 16. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it, and shall apply to any disciplinary or conduct rules violations that occur on or after January 1, 2018.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 7 and substituting instead the following:

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) Public institutions of higher education are authorized to appoint the following persons as administrative judges and hearing officers to conduct contested cases under the Uniform Administrative Procedures Act:

(1) A person who is licensed to practice law and who is not employed as an attorney for the institution;

(2) A former state, county, or municipal judge or a former federal judge or magistrate;

(3) An employee of the institution who has been trained to conduct contested cases, including the training in subsection (c), but who does not provide legal representation to the institution; or

(4) An employee of another public institution of higher education who has been trained to conduct contested cases, including the training in subsection (c).

(b) An administrative judge or hearing officer appointed by a public institution of higher education pursuant to subsection (a) is subject to:

(1) The disqualification provisions of § 4-5-302; and

(2) The conflict of interest provisions of § 4-5-303.

(c) No earlier than twelve (12) months prior to hearing a contested case under the Uniform Administrative Procedures Act that involves sexual assault, dating violence, domestic violence, or stalking, an administrative judge or hearing officer shall complete training that satisfies the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), and the federal regulations implementing those statutes, as amended.

(d) In lieu of appointing an administrative judge or hearing officer to conduct a contested case pursuant to subsection (a), a public institution of higher education may make a request to the office of the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state pursuant to § 4-5-301(d).

(e) Nothing in this section is intended to prohibit a student charged with a student disciplinary offense, or any other individual who has the right to a contested case hearing, from waiving the right to the hearing of a contested case under the Uniform Administrative Procedures Act; provided, that prior to waiving that right, the individual is informed in writing of the individual's rights under this section.

(f) As used in this section:

(1) "Contested case" has the meaning ascribed to that term by the Uniform Administrative Procedures Act; and

(2) "Uniform Administrative Procedures Act" means the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and rules of procedure for hearing contested cases promulgated in accordance with applicable rulemaking provisions.

AND FURTHER AMEND by deleting Section 13 and substituting instead the following:

SECTION 13. Tennessee Code Annotated, Section 49-8-115, is amended by deleting the section.

AND FURTHER AMEND by deleting Section 14 and substituting instead the following:

SECTION 14. Tennessee Code Annotated, Section 49-9-110, is amended by deleting the section.

AND FURTHER AMEND by deleting Section 16 and substituting instead the following:

SECTION 16. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 2019, the public welfare requiring it, and shall apply to all contested cases that are requested on or after January 1, 2019.

AND FURTHER AMEND by deleting Section 2 and renumbering the subsequent sections accordingly.

Senator Haile moved that **Senate Bill No. 824**, as amended, be moved five places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 1227 -- TennCare -- As introduced, requires the bureau of TennCare, on and after October 1, 2017, to monitor opioid prescriptions by enrollees; imposes prior authorization requirements for opioid prescriptions for enrollees in certain circumstances; requires exemptions from prior authorization for enrollees with certain medical conditions. Amends TCA Title 71.

Senator Dickerson declared Rule 13 on **Senate Bill No. 1227**.

On motion, Senate Bill No. 1227 was made to conform with **House Bill No. 901**.

On motion, House Bill No. 901, on same subject, was substituted for Senate Bill No. 1227.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 901** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 447

Senator Swann moved that Amendment No. 2 go to the table, which motion failed.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 447**, as amended, passed its third and final consideration by the following vote:

Ayes	23
Noes	4
Present, not voting ...	2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Tate, Yager, Yarbrow and Mr. Speaker McNally--23.

Senators voting no were: Bell, Hensley, Southerland and Swann--4.

Senators present and not voting were: Harris and Pody--2.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 1485

Thereupon, **House Bill No. 1485** failed for lack of a constitutional majority by the following vote:

Ayes	11
Noes	11
Present, not voting ...	2

Senators voting aye were: Bowling, Gresham, Harper, Johnson, Kelsey, Lundberg, Massey, Niceley, Roberts, Southerland and Swann--11.

Senators voting no were: Briggs, Crowe, Dickerson, Harris, Hensley, Jackson, Ketron, Kyle, Norris, Pody and Stevens--11.

Senators present and not voting were: Yager and Yarbrow--2.

A motion to reconsider was tabled.

Pursuant to Rule 62 and Article II, Section 18, **House Bill No. 1485** was rereferred to the Committee on Calendar.

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

Senate Bill No. 1496 -- Eminent Domain -- As introduced, revises provisions governing condemned property being offered for sale to the former owner. Amends TCA Section 29-17-1005.

On motion, Senate Bill No. 1496 was made to conform with **House Bill No. 1727**.

On motion, House Bill No. 1727, on same subject, was substituted for Senate Bill No. 1496.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1727** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1500 -- Firearms and Ammunition -- As introduced, allows county commissioner in the actual discharge of the commissioner's duties who has a valid handgun carry permit to carry in buildings in which judicial proceedings are taking place if county commission meetings are also held in the building. Amends TCA Title 39, Chapter 17, Part 13.

On motion, Senate Bill No. 1500 was made to conform with **House Bill No. 1939**.

On motion, House Bill No. 1939, on same subject, was substituted for Senate Bill No. 1500.

Thereupon, **House Bill No. 1939** passed its third and final consideration by the following vote:

Ayes	27
Noes	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--27.

Senator voting no was: Kyle--1.

A motion to reconsider was tabled.

Senator Norris moved that **Senate Bill No. 1575** be placed on the Calendar for Monday, April 23, 2018, which motion prevailed.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering the Message Calendar next, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 270 -- Motor Vehicles, Titling and Registration -- As introduced, exempts active, volunteer firefighters and rescue squad members from payment of the regular registration fee at the time of renewal for any license plate issued to the volunteer firefighter or rescue squad member. Amends TCA Title 55, Chapter 4.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-241(a), is amended by adding the following at the end of the subsection immediately preceding the period (.):

; except, that any active volunteer firefighter who has at least one (1) year of service shall be exempt, at the time of renewal, from the applicable registration fee for only one (1) motor vehicle, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the person is an active volunteer firefighter

SECTION 2. Tennessee Code Annotated, Section 55-4-222(d), is amended by adding the following at the end of the first sentence immediately preceding the period (.):

; except, that any active volunteer member of a local rescue squad who has at least one (1) year of service shall be exempt, at the time of renewal, from the regular license fee for only one (1) motor vehicle, upon the certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the person is an active volunteer member

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer fire department, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the firefighter, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws.

(b) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer local rescue squad, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee

imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the member, upon certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to registration plates renewed on or after that date.

Senator Pody moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 270**, which motion prevailed by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Norris, Pody, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally --28.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-241(a), is amended by adding the following at the end of the subsection immediately preceding the period (.):

; except, that any active volunteer firefighter who has at least one (1) year of service shall be exempt, at the time of renewal, from the applicable registration fee for only one (1) motor vehicle, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the person is an active volunteer firefighter. In addition to the exemption provided by this subsection (a), the legislative body of a county is authorized to waive the motor vehicle tax for motor vehicles receiving an exemption under this subsection (a) from the registration fee if the waiver is approved in the same manner as the adoption of the motor vehicle tax under § 5-8-102

SECTION 2. Tennessee Code Annotated, Section 55-4-222(d), is amended by adding the following at the end of the first sentence immediately preceding the period (.):

; except, that any active volunteer member of a local rescue squad who has at least one (1) year of service shall be exempt, at the time of renewal, from the regular license fee for only one (1) motor vehicle, upon the certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the person is an active volunteer member. In addition to the exemption provided by this subsection (d), the legislative body of a county is authorized to waive the motor vehicle tax for motor vehicles receiving an exemption under this subsection (d) from the registration fee if the waiver is approved in the same manner as the adoption of the motor vehicle tax under § 5-8-102

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer fire department, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the firefighter, upon the certification or sworn statement from the chief of the fire department to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws. In addition to the exemption provided by this subsection (a), the legislative body of a county is authorized to waive the motor vehicle tax for motor vehicles receiving an exemption under this subsection (a) from the registration fee if the waiver is approved in the same manner as the adoption of the motor vehicle tax under § 5-8-102.

(b) Any owner or lessee of a motor vehicle who is a resident of this state, is an active member of a volunteer local rescue squad, and has at least one (1) year of service shall be exempt, at the time of renewal, from the regular registration fee imposed pursuant to § 55-4-111, for only one (1) vehicle owned or used by the member, upon certification or sworn statement from the captain of the local rescue squad to which the person is attached confirming the applicant is an active volunteer member, and upon compliance with state motor vehicle registration and licensing laws. In addition to the exemption provided by this subsection (b), the legislative body of a county is authorized to waive the motor vehicle tax for motor vehicles receiving an exemption under this subsection (b) from the registration fee if the waiver is approved in the same manner as the adoption of the motor vehicle tax under § 5-8-102.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to registration plates renewed on or after that date.

Senator Pody moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 270**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senator Yager moved that **Senate Bill No. 692** be placed on the Message Calendar for April 19, 2018, which motion prevailed.

Senator Harris moved that **Senate Bill No. 1302**, as amended, be returned to the House, which motion prevailed.

MR. SPEAKER McNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1549 -- Sunset Laws -- As introduced, extends the real estate commission for one year to June 30, 2019. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 13.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-239(a), is amended by deleting subdivision (34).

SECTION 2. Tennessee Code Annotated, Section 4-29-240(a), is amended by inserting the following as a new subdivision:

() Real estate commission, created by § 62-13-201;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Bell moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 1549**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1640 -- Tickets, Admission -- As introduced, reduces the number of days certain nonprofit corporations have to refund amounts paid to purchase a ticket for a performance or event upon cancellation of the performance or event due to a natural disaster from 180 days to 120 days after the cancellation of a performance or event. Amends TCA Title 39; Title 47 and Title 67.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-127(a), is amended by adding the following new subdivision:

(8) Uses the trade name or trademark, or a confusingly similar trade name or trademark of any place of entertainment, or the name of any event, person, or entity scheduled to perform at a place of entertainment in the domain of a ticket marketplace URL. It is not a violation of this subdivision (a)(8) if the ticket marketplace obtained written authorization from the place of entertainment, event, person, or entity scheduled to perform at a place of entertainment to use the trade name, trademark, or name in the domain of the URL prior to the use. For purposes of this subdivision (a)(8):

(A) "Domain" means the portion of text in a URL that is to the left of the top-level domains such as .com, .net, or .org;

(B) "Place of entertainment" means an entertainment facility in this state, such as a theater, stadium, museum, arena, amphitheater, racetrack, or other place where performances, concerts, exhibits, games, athletic events, or contests are held;

(C) "Ticket" means a printed, electronic, or other type of evidence of the right, option, or opportunity to occupy space at, to enter, or to attend a place of entertainment, even if not evidenced by any physical manifestation of the right, option, or opportunity; and

(D) "Ticket marketplace" means a website that provides a forum for or facilitates the buying and selling, or reselling, of a ticket;

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following new subdivision:

() Uses the trade name or trademark, or a confusingly similar trade name or trademark of any place of entertainment, or the name of any event, person, or entity scheduled to perform at a place of entertainment in the domain of a ticket marketplace URL. It is not a violation of this subdivision (b)() if the ticket marketplace obtained written authorization from the place of entertainment, event, person, or entity scheduled to perform at a place of entertainment to use the trade name, trademark, or name in the domain of the URL prior to the use. For purposes of this subdivision (b)():

(A) "Domain" means the portion of text in a URL that is to the left of the top-level domains such as .com, .net, or .org;

(B) "Place of entertainment" means an entertainment facility in this state, such as a theater, stadium, museum, arena, amphitheater, racetrack, or other place where performances, concerts, exhibits, games, athletic events, or contests are held;

(C) "Ticket" means a printed, electronic, or other type of evidence of the right, option, or opportunity to occupy space at, to enter, or to attend a place of entertainment, even if not evidenced by any physical manifestation of the right, option, or opportunity; and

(D) "Ticket marketplace" means a website that provides a forum for or facilitates the buying and selling, or reselling, of a ticket;

SECTION 3. Tennessee Code Annotated, Section 47-25-512, is amended by adding the following new subdivision (4):

(4) Uses the trade name or trademark, or a confusingly similar trade name or trademark of any place of entertainment, or the name of any event, person, or entity scheduled to perform at a place of entertainment in the domain of a ticket marketplace URL. It is not a violation of this subdivision (4) if the ticket marketplace obtained written authorization from the place of entertainment, event, person, or entity scheduled to perform at a place of entertainment to use the trade name, trademark, or name in the domain of the URL prior to the use. For purposes of this subdivision (4):

(A) "Domain" means the portion of text in a URL that is to the left of the top-level domains such as .com, .net, or .org;

(B) "Place of entertainment" means an entertainment facility in this state, such as a theater, stadium, museum, arena, amphitheater, racetrack, or other place where performances, concerts, exhibits, games, athletic events, or contests are held;

(C) "Ticket" means a printed, electronic, or other type of evidence of the right, option, or opportunity to occupy space at, to enter, or to attend a place of entertainment, even if not evidenced by any physical manifestation of the right, option, or opportunity; and

(D) "Ticket marketplace" means a website that provides a forum for or facilitates the buying and selling, or reselling, of a ticket;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to actions occurring on or after the effective date of this act.

Senator Yager moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1640**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Stevens, Swann, Tate, Watson, Yager and Yarbro--29.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1688 -- Political Parties -- As introduced, prohibits a statewide political party or recognized minor party from adopting a party rule that would preclude an honorably discharged veteran from qualifying as a candidate for office based on the number of times the veteran voted during the previous three general elections. Amends TCA Title 2, Chapter 13, Part 1.

HOUSE AMENDMENT NO. 4

AMEND by deleting the amendatory language of Section 2 and substituting instead the following:

(a) A person who is an honorably discharged veteran of the United States armed forces, a member of the Tennessee national guard, a member of the Tennessee air national guard, or an inactive reservist of any of the United States uniformed military services in good standing must not be disqualified as a candidate for any office if, for service-related reasons, that person was unable to comply with a statewide political party's or recognized minor party's rules for candidacy for nomination for such party, and such service-related reasons are the sole reason the person is unable to qualify.

(b) A statewide political party or recognized minor party may develop a process for reviewing a person's stated service-related reasons for being unable to comply with party rules for nomination and may remove the person from their primary election ballot, pursuant to § 2-5-204(a), if that statewide political party or recognized minor party has conclusive grounds to establish that good cause exists that the exemption in subsection (a) does not apply to that person.

Senator Briggs moved that the Senate nonconcur in House Amendment No. 4 to **Senate Bill No. 1688**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1758 -- Notary Public -- As introduced, authorizes electronic acknowledgments and online notarizations for certain transactions. Amends TCA Title 8 and Title 66.

HOUSE AMENDMENT NO. 2

AMEND by deleting from the amendatory language in Section 3 the following:

notary public's signature by in ink by the notary's hand

and substituting instead the following:

notary public's signature in ink or by the notary's hand

Senator Kelsey moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1758**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbrow--30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1866 -- Alcoholic Beverages -- As introduced, changes from February 1 to February 15 the date by which beer boards must file an annual statistical report with the alcoholic beverage commission. Amends TCA Title 57.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-406(k)(1), is amended by adding the following as a new subdivision:

(G) Any delivery made by a delivery service is made only to the physical address indicated by the individual placing the delivery order. The delivery must be documented by a verification of the delivery signed by the recipient.

SECTION 2. Tennessee Code Annotated, Section 57-3-406(j), is amended by adding the following new subdivision:

(3) Any delivery made by a retailer pursuant to this subsection (j) must be made only to the physical address indicated by the individual placing the delivery order. The delivery must be documented by a verification of the delivery signed by the recipient.

SECTION 3. Tennessee Code Annotated, Section 57-3-217(h)(1), is amended by deleting the language "delivery of wine" and substituting instead the language "delivery of wine, beer, or other alcoholic beverages" and deleting the language "wine shipments" and substituting instead the language "wine, beer, or other alcoholic beverage shipments".

SECTION 4. Tennessee Code Annotated, Section 57-5-416, is amended by deleting the section and substituting instead the following:

In order to facilitate the effective collection and enforcement by municipal and county officials of the tax levied by § 57-6-103 on all sales of beer by wholesalers to retailers or any other persons, it shall be unlawful for any retailer to store beer purchased for a specific retail location at any place other than that specific retail location.

SECTION 5. Tennessee Code Annotated, Section 57-3-406(g), is amended by adding the following sentence to the end of the subsection:

No retailer may store any alcoholic beverages, wine, or beer at any location other than the licensed premises and the retailer shall not hold, store, or accept delivery of any products intended for another retailer.

SECTION 6. Tennessee Code Annotated, Section 57-1-103, is amended by deleting the section in its entirety and substituting instead the following:

(a) The three (3) members of the commission appointed by the governor must be appointed for terms concurrent with the term of the governor. In the event a vacancy occurs, the governor shall appoint a person to fill the vacancy for the unexpired term.

(b) The commissioners serve at the pleasure of the governor and are subject to removal by the governor at any time.

(c) Each member of the commission must receive five hundred dollars (\$500) for each meeting of the commission that the member attends. The members of the commission must likewise be reimbursed for their actual and necessary expenses incurred in connection with their official duties. All reimbursement for travel expenses must be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(d)(1) A member of the commission who misses more than fifty percent (50%) of the scheduled meetings in a calendar year must be removed as a member of the commission.

(2) The chair of the commission shall promptly notify the governor of any member who fails to satisfy the attendance requirement as prescribed in subdivision (d)(1).

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.

Senator Jackson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1866**, which motion prevailed by the following vote:

Ayes	27
Noes	2
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Swann, Tate, Watson, Yager and Yarbro--27.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1875 -- Criminal Offenses -- As introduced, enacts "Henry's Law"; requires that a person convicted for second degree murder resulting from unlawful distribution of Schedule I or II drug where victim is a minor be sentenced, at a minimum, as a Range II offender. Amends TCA Section 39-13-210 and Title 40, Chapter 35.

HOUSE AMENDMENT NO. 1

AMEND by deleting subdivision (2) in the amendatory language of Section 2 and substituting instead the following:

(2) Notwithstanding the Tennessee Criminal Sentencing Reform Act of 1989, compiled in title 40, chapter 35, a person convicted of a violation of subdivision (a)(2) where the victim is a minor shall be punished from within one (1) range higher than the sentencing range otherwise appropriate for the person.

Senator Massey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1875**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbrow--29.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1879 -- Planning, Public -- As introduced, prevents new or amended subdivision regulations proposed by a regional planning commission from taking effect until approved by the county legislative body of any county, and by the governing body of any municipality, lying wholly or partly within the region; removes requirement that a regional planning commission hold a public hearing on subdivision regulations prior to adoption. Amends TCA Title 13.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-3-403, is amended by deleting subsection (c) and substituting instead the following:

(c)(1) Before adoption of its subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the regional planning commission, thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in each county lying wholly or partly in the region.

(2)(A) The adoption of subdivision regulations or an amendment to existing subdivision regulations proposed by a regional planning commission shall not be given effect unless approved by the legislative body of each county and municipality lying wholly or partly within the region.

(B) This subdivision (c)(2) applies to a regional planning commission if the legislative body of each county and municipality lying wholly or partly within the region adopts a resolution or ordinance requiring approval of the regional planning commission's subdivision regulations or amendments to existing subdivision regulations.

SECTION 2. Tennessee Code Annotated, Section 13-3-402(a)(1), is amended by inserting the language "or the staff of the regional planning commission if this responsibility has been delegated to the staff by the regional planning commission as provided in subsection (c)" after the language "until it has been approved by such regional planning commission".

SECTION 3. Tennessee Code Annotated, Section 13-3-402(a)(2), is amended by inserting the language "or the staff of the regional planning commission if this responsibility has been delegated to the staff by the regional planning commission as provided in subsection (c)" after the language "No plat shall be submitted to or approved by the regional planning commission".

SECTION 4. Tennessee Code Annotated, Section 13-3-402, is amended by adding the following as new subsections:

(c) A regional planning commission may delegate the responsibility for approval of a subdivision plat to the staff of the regional planning commission by a majority vote of the regional planning commission that is taken in a public meeting after being placed on the regional planning commission's meeting agenda and notice being provided as required for other matters before the regional planning commission.

(d) A regional planning commission may grant variances to subdivision regulations, if such variances are adopted at a public meeting of the commission.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Briggs moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 1879**, which motion prevailed.

Senator Haile moved that **Senate Bill No. 2025** be placed on the Message Calendar for April 19, 2018, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2081 -- Auctions and Auctioneers -- As introduced, makes various changes to licensure provisions related to auctioneers, including exempting from such provisions any exchange of goods conducted through bidding on an internet-based trading platform by a publicly traded company that primarily sells motor vehicles and lowering from two years to one year the amount of time that a person has to serve under the supervision of an auctioneer prior to applying for licensure. Amends TCA Title 62, Chapter 19.

HOUSE AMENDMENT NO. 2

AMEND by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1.

(a) There is created the Tennessee Task Force on Auction Law Modernization. The task force shall:

(1) Conduct a comprehensive review of auction laws in this state, including rules of the Tennessee Auctioneer Commission to study unnecessary barriers to entry into the profession; and

(2) Recommend changes and updates to auctioneer licensing laws to recognize the broad range of business models of auctioneers, auction firms, and auction platforms.

(b) The task force shall be composed of:

(1) The president of the Tennessee Auctioneers Association;

(2) One (1) additional member of the Tennessee Auctioneers Association, selected by association members;

(3) One (1) online auctioneer with in-state operations, appointed by the speaker of the senate;

(4) One (1) online auctioneer with global operations, appointed by the speaker of the senate;

(5) One (1) online automobile auctioneer, appointed by the speaker of the house of representatives;

(6) One (1) representative from a licensed Tennessee Auction School, appointed by the speaker of the house of representatives;

(7) One (1) member of the Tennessee Auctioneer Commission, selected by the commission;

(8) The commissioner of commerce and insurance or the commissioner's designee;

(9) One (1) member of the Tennessee Real Estate Commission, selected by the commission;

(10) One (1) representative of the Tennessee County Services Association, selected by the association;

(11) Two (2) representatives from the Tennessee Automotive Association, selected by association members; and

(12) One (1) consumer member to represent the public, appointed by the governor.

(c) A majority of the members of the task force constitute a quorum. Members must be present at meetings to vote.

(d) The commissioner of commerce and insurance, or the commissioner's designee, shall schedule the first meeting of the task force to occur within ninety (90) days of the passage of this act. At the first meeting of the task force, the members of the task force shall select a chair from the membership of the task force.

(e) The task force shall meet at least four (4) times between June 1, 2018, and December 31, 2018, and may meet more often upon the call of the chair.

(f) The task force shall be administratively attached to the department of commerce and insurance. All appropriate agencies of state government shall provide assistance to the task force upon the request of the task force.

(g) All meetings shall be open to the public pursuant to Tennessee Code Annotated, Title 8, Chapter 44.

(h) No member of the task force shall receive compensation, nor shall members be entitled to reimbursement for actual travel and other expenses incurred in attending any meeting or in performing any duties prescribed in this act.

(i) The task force shall make recommendations for legislation for the next legislative session and report its recommendations to the chairs of the commerce and labor committee of the senate and the business and utilities committee of the house of representatives on or before January 8, 2019, at which time the task force will cease to exist.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Yager moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2081**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Tate, Watson, Yager and Yarbro --30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2331 -- Beer -- As introduced, authorizes Montgomery County to control the issuance, revocation, and suspension of licenses for the storage, sale, manufacture, and distribution of beer within a park owned by the county that is in the municipal boundaries of Clarksville. Amends TCA Title 57, Chapter 5.

HOUSE AMENDMENT NO. 1

AMEND by adding the following as a new section immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 57-5-103(a)(2), is amended by deleting the language "or governmental entity" and substituting instead the language "or local governmental entity".

Senator Green moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2331**, which motion prevailed by the following vote:

Ayes	23
Noes	2
Present, not voting ...	2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Tate, Yager and Yarbro--23.

Senators voting no were: Hensley and Southerland--2.

Senators present and not voting were: Pody and Watson--2.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2696 -- Transportation, Dept. of -- As introduced, authorizes the department to transfer its interest in right-of-way property that is initially appraised by the department at \$10,000 or less to a legal governmental entity at the appraised value without further appraisal or approval. Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-2-112(a)(8), is amended by adding the following new subdivision (D):

(D) Notwithstanding any law to the contrary, if the department of transportation's staff appraisal of a tract of surplus real property under subdivision (a)(8)(C)(ii) is equal to or less than ten thousand dollars (\$10,000), the department may transfer its interest in the property to any legal governmental body for the appraised value of the property, subject to the former owner's right of first refusal under subdivision (a)(8)(B), without further appraisal or approval under this section, except for the appraisal review provided in subdivision (a)(8)(C)(iv);

SECTION 2. Tennessee Code Annotated, Section 12-2-112(a)(8)(A), is amended by deleting the first sentence and substituting instead the following:

If the property was acquired by or for the use of the department of transportation for right-of-way, if its fair market value does not exceed seventy-five thousand dollars (\$75,000) or such amounts in excess of seventy-five thousand dollars (\$75,000) as may be approved by the state building commission, and if any adjoining property owner or the former owner of that property wishes to purchase the property, or if a legal governmental body wishes to acquire the property for a public use purpose under this subdivision (a)(8)(A) or subdivision (a)(8)(B), or if a legal governmental body wishes to acquire the property for fair market value as provided in subdivision (a)(8)(D), then this subdivision (a)(8) shall apply, notwithstanding any other provision of this section.

SECTION 3. Tennessee Code Annotated, Section 12-2-112(a)(8)(B), is amended by deleting the fourth sentence and substituting instead the following:

If the former property owner relinquishes the owner's right or the right has expired, the property may be conveyed to a legal governmental body in accordance with subdivision (a)(8)(D) or to an adjoining property owner.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Bailey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2696**, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbro--30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2705 -- Juvenile Offenders -- As introduced, requires any juvenile who is adjudicated delinquent for conduct that would constitute a homicide offense if committed by an adult to be, at a minimum, committed to the department of children's services for one year or until the juvenile turns 19 years of age, whichever occurs first. Amends TCA Title 37, Chapter 1.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by adding the following new subsection:

(d)(1) Notwithstanding this section to the contrary, a juvenile who is adjudicated delinquent for conduct that, if committed by an adult, would constitute one (1) of the offenses set out in subdivision (d)(3) shall be committed to the department of children's services for a period of not less than one (1) year; provided, that for the offenses listed in subdivisions (d)(3)(D) and (E), a court may, upon a finding of good cause, order a commitment for a term of less than one (1) year or decline to order a commitment.

(2) The commitment required by subdivision (d)(1) must be the least restrictive disposition permissible for an applicable juvenile, and nothing in this subsection (d) prohibits the court from:

(A) Transferring a juvenile to which this section applies to adult court to stand trial as an adult as provided in § 37-1-134;

(B) Extending the term of commitment beyond the one-year minimum required by this subsection (d); or

(C) Any other dispositional alternative more restrictive than this subsection (d).

(3) The offenses to which this subsection (d) applies are:

- (A) First degree murder, as prohibited by § 39-13-202;
- (B) Second degree murder, as prohibited by § 39-13-210;
- (C) Voluntary manslaughter, as prohibited by § 39-13-211;
- (D) Criminally negligent homicide, as prohibited by § 39-13-212; and
- (E) Reckless homicide, as prohibited by § 39-13-215.

SECTION 2. This act shall be known and may be cited as "Sienna's Law."

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to all applicable delinquent acts occurring on or after that date.

Senator Bowling moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 2705**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2706 -- Alcoholic Beverages -- As introduced, designates The Caverns in Grundy County as a premier type tourist resort for purposes of selling alcoholic beverages for consumption on premises. Amends TCA Section 57-4-102.

HOUSE AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following new subdivision:

() A commercially operated facility that:

(i) Operates as a community performing arts and civics center in a city with a population of not less than eighteen thousand six hundred fifty (18,650) and not more than eighteen thousand six hundred fifty-nine (18,659), according to the 2010 or any subsequent federal census;

(ii) Was originally built as a school in 1886;

(iii) Contains an auditorium with a full stage, a proscenium arch, and seating for not less than four hundred (400) persons; and

(iv) Contains conference and meeting rooms and a local history museum;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

Senator Bowling moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2706**, which motion prevailed by the following vote:

Ayes	27
Noes	2
Present, not voting . . .	1

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Swann, Tate, Watson, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

MOTION

Senator Bowling moved that Rule 19 be suspended for the purpose of considering **House Joint Resolution No. 37**, out of order, which motion prevailed.

CALENDAR NO. 2

House Joint Resolution No. 37 -- Constitutional Amendments -- Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language:

that it is proposed that Article I of the Constitution of Tennessee be amended by adding the following language as a new, appropriately designated section:

We recognize that our liberties do not come from governments, but from Almighty God.

and substituting instead the following:

that it is proposed that Article I, Section 2 of the Constitution of Tennessee be amended by deleting the period (.) at the end of the section and substituting instead the following:

; and that liberties do not come from government, but from Almighty God.

On motion, Amendment No. 1 was adopted.

Senator Bowling moved that the Clerk read the resolution, as amended, which motion prevailed.

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

The Clerk read the resolution, as amended, for the first time.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **House Joint Resolution No. 37**, as amended, had been read, for the first time.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1288** on the calendar for the Committee on Finance, Ways and Means for Monday, April 23, 2018, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2662, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MOTION

On motion of Senator Hensley, his name was added as sponsor of **Senate Bills Nos. 244 and 1759**.

On motion of Senators Swann and Yarbrow, their names were added as sponsors of **Senate Bill No. 1227**.

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Bill No. 1851**.

On motion of Senator Briggs, his name was added as sponsor of **House Joint Resolution No. 1218**.

ENGROSSED BILLS

April 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 2591, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 447, 1345, 1805, 1808, 2110, 2384, 2450, 2550, 2624, 2644, 2645 and 2646; passed by the House.

TAMMY LETZLER,
Chief Clerk

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1959, 2718, 2724 and 2725; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2106, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2125, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1021, 1022, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252 and 1253; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1254, 1255, 1256 and 1257; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2067 and 2312, substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

WEDNESDAY, APRIL 18, 2018 -- 73RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 826, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

April 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 900, 1732, 1765, 1808, 1852, 1941, 1971, 2043, 2048, 2133, 2159 and 2314; and Senate Joint Resolution No. 552; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

April 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bill No. 1781, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

April 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bill No. 2236, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 879, 906, 954, 1065, 1066, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1081, 1082, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128 and 1129; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175 and 1176; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

April 18, 2018

The Speaker announced that he had signed the following: Senate Joint Resolution No. 552.

SIGNED

April 18, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 879, 906, 954, 1065, 1066, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1081, 1082, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1123, 1124, 1125, 1126, 1127, 1128 and 1129.

SIGNED

April 18, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175 and 1176.

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 367, 647, 1062, 1519, 1564, 1719, 1869, 1923, 2030, 2370 and 2420; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 18, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 552, signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 18, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 686, 834, 912, 1512, 1552, 1569, 1701, 1731, 1740, 1773, 1783, 1789, 1803, 1957, 1998, 2036, 2079, 2155, 2196, 2229, 2347, 2377, 2458, 2538, 2698, 2742 and 2746; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

April 18, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 1386, 1596, 1618, 1690, 1697, 1736, 1796, 1914, 1921, 1927, 1936, 2002, 2023, 2064, 2066, 2068, 2174, 2210, 2243, 2248, 2255, 2306, 2461, 2524, 2549, 2583, 2638 and 2704; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 18, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 593, 889 and 890; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 18, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 141, without his signature.

DWIGHT E. TARWATER,
Counsel to the Governor

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, April 19, 2018, which motion prevailed.